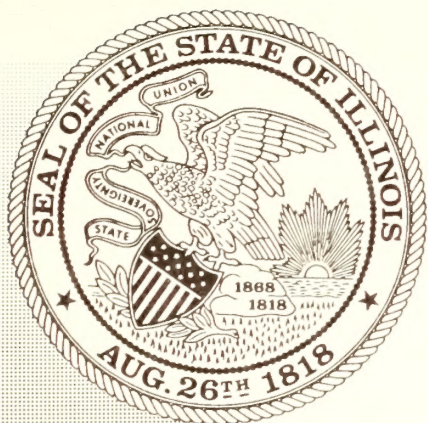


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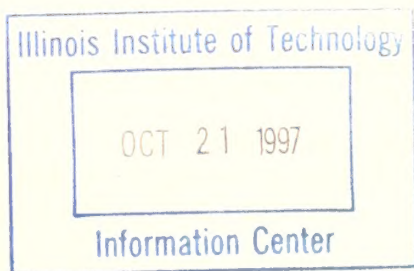
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April	18, 1997 - Issue 16: Through	March	31, 1997
July	18, 1997 - Issue 29: Through	June	30, 1997
October	17, 1997 - Issue 42: Through	September	30, 1997
January	16, 1998 - Issue 3: Through	December	31, 1997 (Annual)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Practice and Procedure

2) Code Citation: 26 Ill. Adm. Code 125

3) Sections Numbers: 125.425
Proposed Action: Amend

4) Statutory Authority: Implements Article 9 of the Illinois Election Code and authorized by Section 9-15(3) of the Illinois Election Code [10 ILCS 5/Art. 9, and 9-15(3)].

5) A Complete Description of the Subjects and Issues Involved: Includes A-1 forms among those items for which a monetary penalty may be imposed in the event of second violations.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does the rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: To discourage the late filing of A-1 reports.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to:

A. L. Zimmer, General Counsel
State Board of Elections
James R. Thompson Center
100 West Randolph Street
Suite 14-100
Chicago, IL 60601
312/814-6477

or at a Public Hearing to be held on October 20, 1997 at the State Board of Elections' permanent branch office in the James R. Thompson Center, 100 W. Randolph Street, Chicago, Illinois, and on November 17, 1997 at the State Board of Elections' principal office located at 1020 S. Spring Street, Springfield, Illinois. Please contact the Board's offices for verification of hearing time, room and date.

12) Initial Regulatory Flexibility Analysis:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

A) Types of Small businesses affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: This situation did not manifest itself until after the August 5, 1997 orientation meeting of the incoming Chairman and Vice Chairman with the staff members of the State Board of Elections. Accordingly, it was not until the September 29, 1997 monthly Board Meeting that the Board was in a position and a necessity existed to implement this rule.

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STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 26: ELECTIONS

CHAPTER I: STATE BOARD OF ELECTIONS

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STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

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Section

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 125.730 Public Availability of Advisory Opinion
 125.740 Conflict Between this Part and the APA

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Section

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 125.820 Effective Date
 125.830 Interpretation
 125.840 Severability

AUTHORITY: Implementing and authorized by Sections 1A-8(9), 9-15(3), 9-21 and 9-23 of the Election Code [10 ILCS 5/1A-8(9), 9-15(3), 9-21 and 9-23].

SOURCE: Adopted at 5 Ill. Reg. 12115, effective October 26, 1981; amended at 7 Ill. Reg. 230, effective December 16, 1982; amended at 7 Ill. Reg. 239, effective December 16, 1982; amended at 7 Ill. Reg. 15803 and 15810, effective November 9, 1983; codified at 8 Ill. Reg. 3278; amended at 9 Ill. Reg. 4050, effective March 14, 1985; amended at 14 Ill. Reg. 10832, effective June 22, 1990; amended at 16 Ill. Reg. 6986, effective April 21, 1992; amended at 19 Ill. Reg. 6546, effective May 1, 1995; amended at 21 Ill. Reg. _____, effective _____.

SUBPART D: FINAL ORDERS

Section 125.425 Civil Penalty Assessments

- a) As used in this Section, "authorizing candidate" means any candidate who has at any time during the reporting period for the report in question or prior thereto filed with the committee an authorization in accordance with Section 9-8 of the Election Code.
- b) A report required to be filed within a specified time pursuant to Section 9-10 of the Election Code is delinquent if not received by the

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Board on or before the due date. Document(s) are deemed received by the Board as of the date date-stamped by Board staff on the document(s) submitted.

- c) If the report continues to be delinquent, and if the political committee is currently under stipulation, it is subject to an increasing civil penalty as provided herein, until received by the Board.
- d) When a report is known to be delinquent, the Board will send notice of delinquency to the chairman and the treasurer of each delinquent state, state and local, and local political committee. Notice of delinquency shall also be sent to any candidate listed by name on that committee's Statement of Organization. If a delinquent state, state and local, or local political committee is currently under stipulation, such notice shall state that a fine is being assessed for each ~~late~~ day the report is or was late.
- e) Upon receipt of a delinquent campaign disclosure report, the Board shall send by certified mail to all delinquent political committees not currently under stipulation, a partially completed stipulation and agreed order for signature. The Board shall file a complaint against any such political committee failing to return such properly completed stipulation within 30 days after ~~of~~ the mailing of the stipulation or within 10 days after the political committee's acceptance of same. If a political committee is currently under stipulation the Board will:
- 1) Calculate the initial civil penalty for each day of delinquency as follows:
 - A) If the committee's ~~its~~ total receipts, total expenditures, and the balance remaining at the end of the reporting period for which the delinquent report was due are each \$5000.00 or less, and if the delinquent report is not a pre-election report or an A-1 report supplementing a pre-election report, the political committee shall be assessed a fine of \$25.00 per business day for the first violation of a stipulation, \$50.00 per business day for the second violation, and \$75.00 per business day for the third and each subsequent violation;
 - B) If the committee's ~~its~~ total receipts, total expenditures, or balance remaining at the end of the reporting period for which the delinquent report was due exceeds \$5000.00, and if the delinquent report is not a pre-election report or an A-1 report supplementing a pre-election report, the political committee shall be assessed a fine of \$50.00 per business day for the first violation of a stipulation, \$100.00 per business day for the second violation, and \$200.00 per business day for the third and each subsequent violation;
 - C) If the committee's ~~its~~ total receipts, total expenditures, and balance remaining at the end of the reporting period for which the delinquent report was due are each \$5000.00 or less and if the delinquent report is a pre-election report

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

or an A-1 report supplementing a pre-election report, the political committee shall be assessed a fine of \$100.00 per business day for the first violation of a stipulation, and \$200.00 per business day for the second violation, and \$300.00 per business day for the third and each subsequent violation; or

- D) If the committee's ~~its~~ total receipts, total expenditures, or balance remaining at the end of the reporting period for which the delinquent report was due, exceeds \$5000.00, and if the delinquent report is a pre-election report or an A-1 report supplementing a pre-election report, the political committee shall be assessed a fine of \$200.00 per business day for the first violation of a stipulation, \$400.00 per business day for the second violation, and \$600.00 per business day for the third and each subsequent violation; and

- 2) Mail to the chairman and the treasurer of the political committee, as well as to any candidate listed by name on that committee's current Statement of Organization, notice of the civil penalty assessed against the political committee and include therewith:

- A) a statement of the amount of the assessed penalty;
- B) a request for hearing form;
- C) an appeal affidavit form; and
- D) a request for waiver of appearance form.

- f) A political committee assessed a civil penalty for being delinquent in filing a required report may:

- 1) submit, within 30 days of the mailing of the assessment notice described in subsection (e)(2) of this Section, a request for waiver of appearance and appeal affidavit in the form provided by the Board stating the reasons for requested waiver of appearance and the reasons for the late filing to show why a civil penalty should not be assessed. This appeal affidavit shall either be in writing made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths or be made pursuant to Section 1-109 of the Code of Civil Procedure [735 ILCS 5/1-109]; or

- 2) submit within 30 days after of the mailing of the assessment notice described in subsection (e)(2) of this Section, a request for hearing and appeal affidavit in the form provided by the Board stating the reasons for the late filing to show why a civil penalty should not be assessed. This appeal affidavit shall either be in writing made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths or be made pursuant to Section 1-109 of the Illinois Code of Civil Procedure [735 ILCS 5/1-109]; or

- 3) pay, within ~~thirty~~ 30 days of the mailing of the assessment notice described in subsection (e)(2) of this Section, the civil

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

penalty assessed.

- g) If a political committee subject to a civil penalty assessment for the late filing of a campaign disclosure report fails, within the time required, to submit a request for hearing and appeal affidavit, to submit a request for waiver of appearance and appeal affidavit, or to make payment in full of the assessed civil penalty, then the Board shall proceed with efforts at collection pursuant to the Illinois State Collection Act of 1986 [30 ILCS 210]. The Board shall not hear an appeal if neither a request for waiver of appearance and appeal affidavit nor a request for hearing and appeal affidavit is filed within the time required.

- h) A request for waiver of appearance and appeal affidavit in the form provided by the Board, timely filed within ~~thirty~~ 30 days after of the mailing of the assessment notice described in subsection (e)(2) of this Section with the Board, if denied at the next meeting of the Board occurring at least ~~seven~~ 7 days after receipt of said request and affidavit, will be considered at the then next following regular date, time and location of said meeting. Each said request and affidavit will be considered at the then next following regular meeting, upon written notice to the political committee specifying the date, time and location of said meeting. Each said request and affidavit shall be received by the Board to the political committee filing same, with said receipt to contain the date of receipt and the date, time and location of the next regular meeting of the Board occurring at least ~~seven~~ 7 days after the receipt of said request and affidavit. At that following meeting, either the chairman, the treasurer or, an authorizing candidate of the political committee, shall be present in person. If such a representative of the political committee is not present, the appeal shall be denied.

- i) A request for hearing and appeal affidavit form timely filed with the Board within ~~thirty~~ 30 days after of the mailing of the assessment notice described in subsection (e)(2) of this Section will be considered at the next regular meeting of the Board occurring at least ~~seven~~ 7 days after receipt of said request and affidavit. Each said request and affidavit shall be received by the Board to the political committee filing same, with said receipt to contain the date of receipt, and the date, time and location of the next regular meeting of the Board occurring at least ~~seven~~ 7 days after the receipt of said request and affidavit. If neither the chairman, the treasurer, nor, an authorizing candidate of the political committee is present at the requested hearing, the appeal shall be denied.

- j) If the political committee's appeal is:

- 1) Denied by the Board, the Board will require that the civil penalty originally assessed be paid within ~~thirty~~ 30 days after the date of the hearing;
- 2) If the appeal is accepted by the Board, the Board will waive the civil penalty assessment, provided that the Board may waive the fine only if the political committee can present documentation

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

proving that it did file the report in question on time. Document(s) are deemed received by the Board as of the date date-stamped by Board staff on the document(s) submitted.

k) Any party adversely affected by a final order of the Board may file a written motion to reconsider the order pursuant to Section 125.440. A timely motion for rehearing extends the period in which the respondent may pay the fine, unless the motion is heard and decided within the 30 day period, until the motion is heard and decided. A motion for rehearing does not toll the running of the 30 day period except to the extent that it is necessary to hear and decide the motion.

l) Any authorizing candidate, treasurer, or chairman paying an assessed civil penalty may, upon request to the political committee be reimbursed such amount from funds of the political committee, if and when such funds become available.

m) The Board shall extend the stipulation and agreed order for an additional twelve month period, measured from the date of violation of the stipulation and agreed order, for each committee assessed a late fine.

n) The civil penalty for a single violation may not exceed \$1,000.00; provided that each report which is not timely and properly filed by a political committee shall be a separate single violation.

o) No provision of this or any other rule of the State Board of Elections to the contrary withstanding, the Board will abate any monetary penalty that would otherwise arise under this Section if the untimely report submitted in violation of subsection (b) of this Section arrives at the office of the State Board of Elections bearing a postmark not less than 5 days prior to the date the report is actually due in the office of the Board.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Registration of Voters

2) Code Citation: 26 Ill. Adm. Code 216

3) Section Numbers: 216.90
Proposed Action: Amend

4) Statutory Authority: Implements the National Voter Registration Act of 1993 [42 U.S.C. 1973gg et seq.] and authorized by Article 1, Section 4 of the United States Constitution and by Sections 1A-8(4), (9) and (12) of the Illinois Election Code [10 ILCS 5/1A-8(4), (9) and (12)].

5) A Complete Description of the Subjects and Issues Involved: Regulates the type size and identifying language to be printed on ballots used by voters entitled to vote for federal offices only. Limits the number of ballots to be used by voters entitled to vote for federal office only to 10% of the number of registered voters in the precinct in which the ballots are to be used.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does the rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: To reduce confusion over appropriate ballot styles and to prevent voters from being issued the wrong ballot styles by plainly identifying ballots used to vote for federal offices only and by limiting the number of such ballots at the polling place to the number of persons reasonably likely to use them.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to:

State Board of Elections
A. L. Zimmer, General Counsel
James R. Thompson Center
100 West Randolph Street
Suite 14-100
Chicago, IL 60601
(312) 814-6477

Public Hearings are to be held on October 20, 1997 at the State Board of Elections' permanent branch office in the James R. Thompson Center, 100 W.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Randolph Street, Chicago, Illinois, and on November 17, 1997 at the State Board of Elections' principal office located at 1020 S. Spring Street, Springfield, Illinois. Please contact the Board's offices for verification of hearing time, room and date.

12) Initial Regulatory Flexibility Analysis:

- A) Types of Small businesses affected: Election Supply and Services Vendors
- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: There was no resolution to the problems of fail safe voters. After studying problems encountered in the first election following implementation of NVRA, the Board determined to provide identification for fail safe ballots. This situation did not manifest itself until after the August 5, 1997 orientation meeting of the incoming Chairman and Vice Chairman with the staff members of the State Board of Elections. Accordingly, it was not until the September 29, 1997 monthly Board Meeting that the Board was in a position and a necessity existed to implement this rule.

The full text of the Proposed Amendments begins on the next page:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 26: ELECTIONS
CHAPTER I: STATE BOARD OF ELECTIONS

PART 216
REGISTRATION OF VOTERS

Section	
216.10	Applicability
216.20	Definitions
216.30	Receipt of Voter Registration Applications
216.40	Maintaining Voter Records
216.50	Cancelling Voter Registrations
216.60	Forms
216.70	Processing Voter Registration Applications
216.80	Documenting Transactions
216.90	Voting
216.100	Designation of Chief State Election Official
Exhibit A	Voter Registration Application - Illinois
Exhibit B	Voter Registration Information
Exhibit C	Voter Registration Application Transmittal
Exhibit D	Disposition of Registration
Exhibit E	Voter Identification Card
Exhibit F	Confirmation of Address
Exhibit G	Registration Deadline Notice
Exhibit H	Address Correction for Fail Safe Voter

AUTHORITY: Implementing the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) and authorized by Section 1A-8(4), (9) and (12) of the Election Code [10 ILCS 5/1A-8(4), (9) and (12)].

SOURCE: Emergency adoption at 21 Ill. Reg. 14247, effective October 22, 1996, for a maximum of 150 days; adopted at 21 Ill. Reg. 4610, effective March 31, 1997; amended at 21 Ill. Reg. _____, effective _____.

Section 216.90 Voting

a) Voters shall vote at the polling place for the precinct where they reside, except that:

- 1) a voter who moves without notice to the election authority to a different residence still within the same election jurisdiction (territory under the control, for voting and registration purposes, of an election authority) as the place from which he or she moved shall vote for the first time he or she offers to vote after changing residence in the polling place for the residence from which the voter most recently registered, and thereafter in the polling place for the voter's present residence;
- 2) such voters are entitled by this Part to vote for federal offices only (However, those persons may be entitled by the Election Code

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

to vote for other offices; see, for example, 10 ILCS 5/6-27 and 6-53.); and

- 3) subject to the requirements of subsection (d) (c) of this Section, any voter otherwise qualified to vote an absentee ballot may vote by absentee ballot.

b) In jurisdictions employing an electronic system which utilizes ballot cards:

- 1) the ballot card for voters described in subsection (a)(2) shall be of stock of any color, provided that there shall be printed on the back of such cards, both on the stub and on the ballot card itself, the words "FEDERAL OFFICES ONLY" in type of no less than 15 pt., and may, at the option of the election authority, also bear the number of the Congressional district of the voters of the precinct. If, in a split precinct, no distinction in color is made between the ballot cards for differing Congressional districts, such ballots must also bear the number of the Congressional district for which they are to be used.

- 2) the number of federal office only ballot cards supplied to any polling place shall not exceed 10% of the number of registered voters assigned to the polling place.

c) The election authority shall transfer the record or registration card, as the case may be, of each voter described in subsection (a)(1) of this Section to the binder for the precinct encompassing the voter's new place of residence immediately after the first election at which the voter offers to vote after changing residence, making such notations on the record as are necessary to bring the information contained on it current, and thereafter the voter shall vote in the precinct polling place for the new residence.

d) An applicant who has submitted a Voter Registration Application by mail must vote in person at the first election at which he or she votes after his or her application is acknowledged unless the voter is entitled to cast an absentee ballot under the provisions of Article 20 of the Illinois Election Code or is eligible to vote an absentee ballot by any pertinent federal statute or law. Voting in person includes in-person absentee voting, nursing home voting and hospitalized voters voting under the provision of Section 19-13 of the Election Code [10 ILCS 5/19-13].

e) An absentee voter voting under the provisions of subsections (a) (1) through (3) of this Section shall also complete an Address Correction for Fail Safe Voters. A Fail Safe Voter is a voter who votes under the provisions of subsection (a)(1) of this Section.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Campaign Financing Act

- 2) Code Citation: 26 Ill. Adm. Code 100

- 3) Section Numbers: Proposed Action:
100.10 Amend

- 4) Statutory Authority: Implements Article 9 of the Illinois Election Code and authorized by Section 9-15(3) of the Illinois Election Code [10 ILCS 5/Art. 9, and 9-15(3)].

- 5) A Complete Description of the Subjects and Issues Involved: Defines the term "asset" for purposes of campaign finance reporting and identifies the manner in which investment income, capital appreciation and capital losses are to be reported for purposes of campaign finance reporting.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does the rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: To advise campaign committees of the kinds of property whose disposition must be accounted for upon dissolution of the campaign committee, and to standardize the manner of reporting investment income, gains and losses.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to:

State Board of Elections
A. L. Zimmer, General Counsel
James R. Thompson Center
100 West Randolph Street
Suite 14-100
Chicago, IL 60601
312/814-6477

or at a Public Hearing to be held on October 20, 1997 at the State Board of Elections' permanent branch office in the James R. Thompson Center, 100 W. Randolph Street, Chicago, Illinois, and on November 17, 1997 at the State Board of Elections' principal office located at 1020 S. Spring Street, Springfield, Illinois. Please contact the Board's offices for verification of hearing time, room and date.

STATE BOARD OF ELECTIONS

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(2) Initial Regulatory Flexibility Analysis:

- A) Types of Small businesses affected: Bookkeeping and accounting services
- B) Reporting, bookkeeping or other procedures required for compliance: Identification of assets at time of dissolution of campaign committees; familiarity with FASB opinions.
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: It implements legislation not enacted until the Governor signed it on August 18, 1997.

The full text of the Proposed Amendments begins on the next page:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 26: ELECTIONS

CHAPTER I: STATE BOARD OF ELECTIONS

PART 100

THE CAMPAIGN FINANCING ACT

Section

- 100.10 Definitions
- 100.20 Official Forms
- 100.30 Forwarding of Documents (Repealed)
- 100.40 Vacancies in Office - Custody of Records
- 100.50 Multiple Filings by State and Local Committees
- 100.60 Filing Option for a Federal Political Committee
- 100.70 Reports of Contributions and Expenditures
- 100.80 Report Forms
- 100.90 Provision Circumvention
- 100.100 Proof of Identification; Application for Inspection and Copying
- 100.110 Loans by One Political Committee to Another
- 100.120 Receipt of Campaign Contributions

AUTHORITY: Implementing Article 9 of the Election Code [10 ILCS 5/Art. 9] and authorized by Section 9-15(3) of the Election Code [10 ILCS 5/9-15(3)].

SOURCE: Amended at 5 Ill. Reg. 1337, effective January 30, 1981; amended at 5 Ill. Reg. 12115, effective October 26, 1981; codified at 6 Ill. Reg. 7211; amended at 7 Ill. Reg. 225, effective December 16, 1982; amended at 14 Ill. Reg. 10824, effective June 22, 1990; amended at 16 Ill. Reg. 6982, effective April 21, 1992; amended at 18 Ill. Reg. 14707, effective September 9, 1994; amended at 21 Ill. Reg. 10044, effective July 21, 1997; amended at 21 Ill. Reg. _____, effective _____.

Section 100.10 Definitions

a) Anything of Value

- 1) Reference: This Part interprets or applies Section 9-1.12, 9-14 and 9-15 of the Election Code [10 ILCS 5/9-1.12, 9-14, 9-15].
- 2) The term "anything of value", as used in Sections 9-14, 9-15 and 9-1.12 of the Act, includes all things, services or goods regardless of whether they may be valued in monetary terms according to ascertainable market value.
- 3) "Anything of value" which does not have an ascertainable market value may be reported by describing the thing, services or goods contributed.
- 4) For purposes of reporting campaign receipts and expenses, income from investments and realized appreciation at time of sale on investments shall be included as receipts during the reporting period they are actually received. Losses on investments shall be reported as expenditures at time of sale. Gross purchase

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

price shall be reported at time of purchase as an expenditure, and, at time of sale, as a receipt separate from realized appreciation or loss. During the period investments are held they shall be identified by name and quantity of security on each semi-annual report during the period.

5)†† In addition to the items expressly excluded in the Act, the term "anything of value" shall not be deemed to include:

A) Any unreimbursed payments for travel or living expenses related to travel made by an individual who volunteers services on behalf of a candidate or political committee, to the extent that the cumulative value of the payments does not exceed an aggregate of \$150 with respect to an annual reporting period;

B) Any news story, commentary, endorsement or editorial of any broadcasting station, newspaper, magazine or other periodical publication;

C) Any regular publication by a membership organization, labor union or corporation to its officers, employees, members or stockholders, so long as the membership organization or corporation is not organized primarily for the purpose of influencing nomination for election, or election, of any candidate, or supporting or opposing any question or questions of public policy. However, publications of an extraordinary or special nature to support or oppose a candidate or candidates or a question or questions of public policy would constitute a campaign contribution or expenditure;

D) The occasional use of real property for the purpose of conveying information to officers, employees, members or stockholders and their families of a person or whoever as defined in Section 9-1.6 of the Illinois Campaign Financing Act and as defined in Section 100.10(b) of these Rules and Regulations, including but not limited to the use of such premises for the purpose of a candidate communicating directly with such officers, employees, members or stockholders and their families;

E) Unrealized appreciation or loss of value of investments during the period they are held.

b) Assets

1) Reference: This Part interprets or applies Section 9-5 of the Election Code.

2) Assets include any property, other than cash or services, of whatever kind, tangible or intangible, which the Financial Accounting Standards Board principles require to be recognized for accounting purposes.

c)†† Candidate

1) Reference: This Part interprets or applies Section 9-1.3 of the Election Code.

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2) "Candidate" as that term is defined in Section 9-1.3 of the Act [10 ILCS 5/9-1.3] shall include, but not by way of limitation: A) A person who circulates or authorizes the circulation of nominating petitions on his behalf for public office;

B) An individual who receives contributions or makes expenditures or gives consent for any other person to receive or make expenditures with a view to bringing about his nomination for election or re-election to any office;

C) Any judicial incumbent who qualifies for retention.

d)†† Filing

To constitute a "filing" as used in the Act and in these Rules, the Statement, Report or document must be in apparent and substantial conformity with the requirements of the Act. "Apparent and substantial conformity" requires that the filing contain the following:

1) The signature of the person making the filing;

2) Completion of all applicable sections of the report; and

3) Attachment of all appropriate schedules.

Inadvertent error or omission of a de minimus nature in the completion of report, statement or document shall not be deemed to a "willful failure to file or a willful filing of false or incomplete information" pursuant to Section 9-26 of the Act.

e)†† Statement of Organization

1) Reference: This provision interprets Section 9-3 of the Election Code [10 ILCS 5/9-3].

2) A committee officer must, in filling out the Form D-1, use the name which appears on his or her birth certificate, baptismal record, voter's registration card, certificate of candidacy or nominating petition, or any other name by which the officer is commonly known in the community in which the officer resides. Aliases created for the purpose of filing under Article 9 of the Election Code may not be used.

f)†† Person or Whoever

1) Reference: This Part interprets or applies Section 9-1.6 of the Election Code.

2) The terms "other organizations" and "groups of persons" as defined in Section 9-1.6 of the Act shall include, but not by way of limitation: all for-profit and not-for-profit corporations; labor unions; trade associations or other such groups; religious organizations; fraternal societies; luncheon and dinner organizations.

g)†† Political Committee

1) Reference: This Part interprets or applies Section 9-1.9 of the Election Code.

2) A person or whoever as defined in the Illinois Campaign Financing Act, Section 9-1.6 [10 ILCS 5/9-1.6] and as defined in Section 100.10(b) of this Part does not qualify as a political committee pursuant to the Illinois Campaign Financing Act by simply making

STATE BOARD OF ELECTIONS

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- a contribution from his or her personal income or profits regardless of the amount of the donations.
- 3) If a person or whoever solicits or receives funds for political purposes or acts as a conduit for political funds, he or she would, in fact, become a political committee and have to comply with all provisions of the Illinois Campaign Financing Act.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Title Insurance Act
- 2) Code Citation: 50 Ill. Adm. Code 8100
- 3) Section Number: Proposed Action:
8100.195 Added
- 4) Statutory Authority: 215 ILCS 155/20
- 5) Complete Description of the Subjects and Issues Involved: Establishes rules regarding the issuance of cease and desist orders as provided in Public Act 89-0601.
- 6) Will this Proposed Rule Replace and Emergency Rule Currently in Effect?
No
- 7) Does this Rulemaking Contain an Automatic Repeal Date? No
- 8) Does this Rulemaking Contain Incorporations by Reference? No
- 9) Are there Any Other Amendments Pending on this Part? No
- 10) Statement of Statewide Policy Objectives: Create a mechanism to allow the Director to implement Public Act 89-0601 regarding cease and desist orders.
- 11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking:
- M. Rose Kelly
Chief Legal Counsel
Illinois Department of Financial Institutions
100 W. Randolph, 15-700
Chicago, IL 60601
312-814-2008
- 12) Initial Regulatory Flexibility Analysis:
- A) Types of Small Business Affected: Certain Title Insurance Companies.
- B) Reporting, Bookkeeping or other Procedures required for compliance: None
- C) Types of Professional Skills Necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory

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agendas because: [The Department was unable to provide a response, as it is required to do by 5 ILCS 110/5-60]

The full text of the proposed amendments begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE
CHAPTER V: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 8100
TITLE INSURANCE ACT

SUBPART A: RULES OF GENERAL APPLICATION

Section	
8100.100	Notice of Suspension or Revocation
8100.105	Notification of Noncompliance or Material Change
8100.110	Display of Certificates or Registrations
8100.114	Certification
8100.115	Prohibition on Filing Application
8100.120	Computation of Time
8100.121	Requirements as to Proper Form
8100.125	Place of Filing
8100.130	Additional Information
8100.135	Additional Exhibits
8100.140	Information Unknown or Not Reasonably Available
8100.145	Requirements as to Paper, Printing and Language
8100.150	Number of Copies--Signatures
8100.155	Audit Fees
8100.170	Extension of Date for Filing
8100.190	Provisions for Granting of Variance from Rules
8100.195	Cease and Desist Orders

SUBPART B: DEFINITIONS

Section	
8100.200	Definition of terms Used in this part
8100.205	Definition of the term "Domestic Title Insurance Company" as Used in the Act
8100.210	Definition of the term "Application" as Used in Sections 4.(d) and 8.(b) of the Act
8100.215	Definition of the term "Audit" as Used in Section 12.(b) of the Act
8100.220	Definition of the term "Bonds of the United States" as Used in Section 4.(a) of the Act
8100.225	Definition of the term "Bonds ... of Any Body Politic of This State" as Used in Section 4.(a) of the Act
8100.230	Definition of the term "Bonds ... of This State" as Used in Section 4.(a) of the Act
8100.235	Definition of the term "Qualified to Do Business in This State" as Used in Section 4.(a) of the Act
8100.240	Definition of the term "Title Plant" as Used in Section 7.(b) of the Act
8100.245	Definition of the term "Net Retained Liability" as Used in Sections

DEPARTMENT OF FINANCIAL INSTITUTIONS

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8100.250 8.(a) and 11.(c)(2) of the Act
Definition of the term "Capital" as Used in Section 9.(a) of the Act

8100.255 Definition of the term "Notice" as Used in Section 9.(b) of the Act

8100.260 Definition of the term "Alien Title Insurance Company" as Used in Section 11.(b) of the Act

8100.265 Definition of the term "Foreign Title Insurance Company" as Used in Section 11.(b) and 15 of the Act

8100.270 Definition of the term "Like Purposes" as Used in Section 15 of the Act

8100.275 Definition of the term "Party" as Used in Section 23 of the Act

8100.280 Definition of the term "Person" as Used in Section 24 of the Act

SUBPART C: TITLE INSURANCE COMPANIES

Section
8100.400 Bonds and Securities Acceptable for Deposit

8100.401 Place of Deposit

8100.402 Computation of Amount on Deposit

8100.403 Exchange of Bonds on Deposit

8100.900 Impairment

8100.905 Definition of the term "Statutory Liabilities" as Used in This Subpart

8100.1000 Date of Redetermination of Required Reserves

8100.1005 Records of Required Reserves

8100.1100 Records of Statutory Premium Reserve

8100.1200 Consumer Complaints

8100.1300 Report of Condition

8100.1500 Due Date for Filing Report

8100.1505 Due Date for Deposits and Payments

8100.1510 Review of Reports

8100.1515 Due Date for Delinquency Assessment

SUBPART D: TITLE INSURANCE AGENTS

Section
8100.1600 Registration of Title Insurance Agents

SUBPART E: INDEPENDENT ESCROWEES

Section
8100.1700 Bonds and Securities Acceptable for Deposit

8100.1701 Place of Deposit

8100.1702 Computation of Amount on Deposit

8100.1703 Exchange of Bonds on Deposit

8100.1704 Starker Exchange

8100.1705 Independent Accountant

8100.1706 Notice of Judgments

DEPARTMENT OF FINANCIAL INSTITUTIONS

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8100.1708 Maintenance of Books

8100.1710 Annual Report

8100.1712 Due Date for Filing of Annual Report

8100.1714 Confirmation of Escrow Fund and Liability

8100.1716 Basis of Books

8100.1718 Posting Dates

8100.1720 Escrow Books

8100.1722 General Books

8100.1724 Special Accounts

8100.1726 Records to be Preserved

8100.1728 Withdrawals From Special Accounts

8100.1730 Debit Balances Prohibited

8100.1732 Delivery of Documents or Property

8100.1734 Dated Instructions

8100.1738 Printed Instructions

8100.1740 Withdrawal of Escrow Fees

8100.1742 Notice of Interest

8100.1744 Transfers Between Escrows

8100.1746 Escrow Receipts

8100.1748 Drawing of Checks

8100.1750 Statement of Account

SUBPART G: EVIDENTIARY MATTERS AND NON-BINDING STATEMENTS

Section
8100.2010 Request for Non-Binding Statements

SUBPART H: PROCEDURES FOR ADMINISTRATIVE HEARINGS

Section
8100.2100 Preamble

8100.2102 Qualifications and Duties of the Hearing Officer

8100.2104 Notice of Hearing

8100.2106 Institution of a Contested Case by the Department

8100.2108 Requirement to File an Answer

8100.2110 Amendment or Withdrawal of the Notice of Hearing

8100.2112 Representation

8100.2114 Special Appearance

8100.2116 Substitution of Parties

8100.2118 Failure to Appear

8100.2120 Motions

8100.2122 Requirements Relating to Continuances

8100.2124 Rules of Evidence

8100.2126 Form of Papers

8100.2128 Bill of Particulars

8100.2130 Discovery

8100.2132 Examination of Witnesses

8100.2134 Subpoenas

DEPARTMENT OF FINANCIAL INSTITUTIONS

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8100.2136 Pre-Hearing Conferences
 8100.2138 Record of a Pre-Hearing Conference
 8100.2140 Hearings
 8100.2142 Record of Proceedings
 8100.2144 Record of Hearing
 8100.2146 Orders
 8100.2148 Stipulations
 8100.2150 Open Hearings
 8100.2152 Corrections to the Transcript
 8100.2160 Disputes Between Parties Certified or Registered by the Department

SUBPART I: CONSUMER PROTECTION

Section
 8100.2400 Preamble
 8100.2402 Standards of Conduct
 8100.2405 Definition of the term "Thing of Value" as Used in This Subpart

SUBPART J: PUBLIC INFORMATION

Section
 8100.3000 Non-Public Distribution of Information

AUTHORITY: Implementing and authorized by the Title Insurance Act [215 ILCS 155].

SOURCE: Emergency rules adopted at 14 Ill. Reg. 305, effective January 1, 1990, for a maximum of 150 days; adopted at 14 Ill. Reg. 8600, effective May 21, 1990; amended at 21 Ill. Reg. _____, effective _____.

SUBPART A: RULES OF GENERAL APPLICATION

Section 8100.195 Cease and Desist Orders

- a) The Director may issue a cease and desist order to a title insurance company, agent or other entity doing business without the required license when, in the opinion of the Director, such company, agent or other entity is violating or is about to violate any provision of this Act or any rule or other condition imposed in writing by the Department.
- b) Such cease and desist order may be issued without notice and before a hearing.
- c) This order shall contain only such language as is necessary to correct, eliminate or remedy such violation of law or rule or other condition imposed in writing by the Department. Such order shall be sent by certified mail to the registered office of such title company or other entity doing business in Illinois.

DEPARTMENT OF FINANCIAL INSTITUTIONS

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- d) Within ten days after the receipt of the order, the title company, agent or other entity shall respond in writing, requesting the Director to review the exceptions contained in such order. If no response is received, or the order is agreed to in writing, the title company, agent or other entity shall be deemed to have consented to the issuance of the cease and desist order.
- e) If a review of the order is requested in writing, and after such review of the circumstances and record by the Director, he finds just cause for the issuance of the order, then the Director shall issue or extend, as appropriate, to the respondent an order to cease and desist from any such practice or violation.
- f) Such order shall require the Respondent and its directors, officers, employees and agents to cease and desist from such violation and to take affirmative action to correct the condition resulting from any such violation. If the respondent has specific grounds for believing the evidence upon which the order is based is not factual, then the respondent may request a formal hearing under Section 8100.2100 of this Part.
- g) A cease and desist order shall become effective upon receipt by the respondent and shall remain effective until it is terminated by action of the Director or a reviewing court. Delivery to the United States Postal Service shall be presumed to constitute delivery to the respondent title insurance company, agent or other entity who is violating or is about to violate any provision of the Title Insurance Act or this Part.

(Source: Added at 21 Ill. Reg. _____, effective _____.)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Uniform Disposition of Unclaimed Property Act
- 2) Code Citation: 38 Ill. Adm. 180
- 3) Section Number: Proposed Action:
180.30 Amendment
- 4) Statutory Authority: 765 ILCS 1025/24
- 5) Complete Description of the Subjects and Issues Involved: Prohibits the holder of a safety deposit box from selling its contents at public sale as is currently allowed under Section 180.30.
- 6) Will this Proposed Rule Replace an Emergency Rule Currently in Effect? No
- 7) Does this Rulemaking Contain an Automatic Repeal Date? No
- 8) Does this Rulemaking Contain Incorporations by Reference? No
- 9) Are there Any Other Amendments Pending on this Part? No
- 10) Statement of Statewide Policy Objectives: Protect the owner of the property by eliminating the confusion as to which is the proper party to sell unclaimed property. Department of Financial Institutions is made the only authorized seller to the public of unclaimed property found in safe deposit boxes.

- 11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking:

M. Rose Kelly
Chief Legal Counsel
Illinois Department of Financial Institutions
100 W. Randolph, 15-700
Chicago, IL 60601
312-814-2008

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of Small Business Affected: Certain holders of Unclaimed Property.
- B) Reporting, Bookkeeping or other Procedures required for compliance: None
- C) Types of Professional Skills Necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This

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rulemaking was not included on either of the 2 most recent regulatory agendas because: [The Department has failed to provide a response, as it is required to do by 5 ILCS 100/5-60.]

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 180

UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT

Section	
180.10	Definitions
180.15	Presumption of Abandonment
180.20	Negative Reports
180.21	Reporting
180.22	Format/Form of Reports
180.24	Incomplete/Inaccurate Report or Remittance
180.25	Filing Extensions
180.30	Safe Deposit Boxes
180.35	Due Diligence
180.40	Cost of Mailing
180.45	Nominee and Street Name Property
180.50	Lawful Charges
180.60	Discontinuance of Interest or Dividends
180.70	Statute of Limitations (Repealed)
180.85	Situs
180.89	Fees
180.90	Examination of Property Holders
180.92	Remittance of Securities and Commodities
180.94	Receipt and Sale of Securities and Commodities
180.95	Examination Gap
180.100	Claims
180.110	Hearings on Claims
180.115	Non-Claim Hearings

AUTHORITY: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025].

SOURCE: Filed November 20, 1977; emergency amendment at 3 Ill. Reg. 39, p. 225, effective September 14, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 48, p. 153, effective November 20, 1979; rules repealed, new rules adopted and codified at 8 Ill. Reg. 1464, effective January 18, 1984; amended at 15 Ill. Reg. 8555, effective May 24, 1991; amended at 17 Ill. Reg. 123, effective December 21, 1992; emergency amendment at 17 Ill. Reg. 6321, effective April 6, 1993; amended at 17 Ill. Reg. 9893, effective June 21, 1993; amended at 18 Ill. Reg. 18001, effective December 12, 1994; amended at 20 Ill. Reg. 8325, effective June 8, 1996; amended at 21 Ill. Reg. _____, effective _____.

Section 180.30 Safe Deposit Boxes

a) Pursuant to Section 2(d) of the Act, safe deposit boxes which have

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been unclaimed for 5 years or more shall be opened. Unless opened by the owner, such boxes shall be opened and inventoried in the presence of at least two employees of the holder who shall verify the accuracy of said inventory. The property shall then be sealed for safekeeping until delivered to the owner or the Department.

b) The property shall be offered by the Department for public sale pursuant to Section 17 of the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025] ~~Act or by the holder pursuant to the Sale of Unclaimed Property Act (Ill. Rev. Stat., 1991, ch. 141, pars. 1-10) or in the case of sale by holder, the proceeds shall be delivered to the Department.~~

c) The holder may be reimbursed or may deduct actual mailing, drilling and opening costs as prescribed by Section 2(d) of the Act. No other charges may be deducted unless otherwise authorized by law or expressly provided for by lawful contract with the owner.

(Source: Amended at 21 Ill. Reg. _____, effective _____.)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Storage, Transportation Sale and Use of Gasoline and Volatile Oils
- 2) Code Citation: 41 Ill. Adm. Code 180
- 3) Section Numbers: 180.20
Proposed Action: Amendment
- 4) Statutory Authority: Section 2 of the Gasoline Storage Act (430 ILCS 15/2).

5) A Complete Description of the Subjects and Issues Involved: The Office is updating Part 180 to increase the maximum allowable number of aboveground storage tanks intended to be used for dispensing fuel into private vehicles solely at agricultural and farm sites. Also, the amendments propose to allow gravity methods of dispensing fuel at such agricultural and farm facilities, as well as at construction sites.

The amendment is being proposed as the result of comments/petitions to the agency to allow an increase in the maximum number of aboveground fuel dispensing storage tanks at agricultural and farm sites. Arguments have been presented that, in order for farmers to store two grades of diesel fuel (taxable, low sulfur diesel fuel to be used in highway vehicles, and dyed, non-taxable diesel fuel to be used in off-road machinery) as well as two grades of gasoline (a premium gasoline and an ethanol blend to meet the octane requirements of both new and older gasoline-powered tractors or vehicles), the total number of allowed aboveground fuel dispensing tanks needs to be increased from two tanks to four.

Part 180 rules currently allow for the aboveground storage of fuels intended for dispensing fuel into motor vehicles at agricultural, commercial, industrial, governmental, and manufacturing facilities, as well as at construction sites. Also, airports are only allowed such aboveground fuel storage for purposes of fueling aircraft. The proposed amendment, which would allow four storage tanks at a facility, does not apply to commercial, industrial, governmental or manufacturing facilities. Likewise, the increase in the number of tanks per facility would not be applicable to construction sites or airport facilities. The change allowing an increase in the number of tanks per facility would only be applicable to construction sites or airport facilities. The change allowing an increase in the number of tanks per facility would only be applicable to agricultural and farm facilities. Such facilities are currently specified in Section 180 and include farm, tree nurseries, fish farms, tree farms, sod farms and orchards.

The amendment does not propose to change either the maximum allowable capacity per tank from the current 2,500 gallons, nor the total allowable aggregate storage at any facility, regardless of number of tanks, from the current 5,000 gallon maximum limit.

OFFICE OF THE STATE FIRE MARSHAL

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Since the Office of the State Fire Marshal first allowed fuel to be dispensed from aboveground storage tanks in 1989, the agency has received no reports of related fires at farm facilities. In fact, due to their usual isolated and remote location, as well as individual or family ownership as opposed to corporate operation, the Office of the State Fire Marshal does not currently require the installation of such farm facility aboveground fuel dispensing tanks to be subjected to the application, plan review or on-site inspection procedures applicable to aboveground tanks at other types of facilities. It is the intention of the agency to continue this practice of not requiring application, plan review, or on-site inspections for farm/agricultural tank installations.

Secondly, the amendment proposes the gravity methods of dispensing fuel from aboveground storage tanks be allowed at farm and agricultural facilities, as well as at construction sites. Currently, the rules require that aboveground fuel dispensing storage tanks be equipped with top-mounted, electrically powered, U.L. listed, dispensing pumps. The regulated community has complained that the requirement is impractical, primarily because of the need to supply electricity to these tanks which are often remotely located at farm facilities, or temporarily installed at construction sites. (The current rules required that electrical wiring be contained in rigid metal conduit.) The agency believes that fire safety will be maintained, despite the proposed gravity method of dispensing, as the result of requirements that the tank be equipped with a heat actuated and manually operated shut-off valve, as well as a lockable, spring-load dispensing nozzle.

Lastly, the Office is taking this opportunity to codify mandatory distances for aboveground flammable and combustible liquid storage tanks at farm facilities. The current rules require simply that such tanks be located "outside buildings". The agency is proposing with these amendments that aboveground fuel tanks at farm sites be required to comply with distance separations required at all other aboveground fuel dispensing storage tank installations. Specifically, the agency is proposing that the tanks be installed a minimum of 30 feet from buildings, property lines, LP-Gas storage tanks, and other bulk flammable or combustible liquid storage tanks.

Local authorities have been, and will continue to be, allowed to enforce locally adopted aboveground flammable liquid storage rules concurrently with the agency's rules. Some counties and/or local jurisdictions may prohibit such aboveground fuel tank installations or limit aboveground storage tank size and numbers to lesser quantities within their jurisdictions. Furthermore, some local authorities may not allow fuels to be dispensed by gravity methods.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No

OFFICE OF THE STATE FIRE MARSHAL

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- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a mandate upon local governments, small municipalities or non-profit organizations.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Jack Ahern
Deputy State Fire Marshal
Division of Fire Prevention
Office of the State Fire Marshal
100 W. Randolph Street, Suite 11-800
Chicago, IL 60601
(312)814-2693

Comments received with 45 days after the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Agricultural and farm facilities. By definition within the rules, such facilities include farms, tree nurseries, fish farms, tree farms, sod farms and orchards. The proposed amendment modifies currently enforced rules to increase the total number of aboveground fuel dispensing storage tanks allowed at such sites from two to four. The amendment also proposes to allow gravity methods of dispensing fuel rather than installing the currently required top-mounted electrically powered pump not only on farm facility tanks, but also for construction companies that maintain portable aboveground fuel dispensing storage tanks for the refueling of construction site equipment.

B) Reporting, bookkeeping or other procedures required for compliance: Such agricultural, farm site, and construction site aboveground tanks, while required to comply with the applicable rules of the Office of the State Fire Marshal, are not subject to application submittal, plan review or on-site inspections. The proposed amendment contains no changes to this method of rule enforcement, but simply changes the

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maximum number of allowed aboveground fuel dispensing storage tanks at such agricultural or farm sites from a total of two to four, and allows gravity methods of fuel dispensing at farms and construction sites. The rules also require the installation of aboveground fuel dispensing tanks at these sites to comply with minimum separation distances.

- C) Types of professional skills necessary for compliance: The amendments propose no change to the qualifications required to perform work on, or related to, aboveground fuel storage tanks.

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated at the time the last agenda was published.

The full text of the Proposed Amendment begins on the next page:

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TITLE 41: FIRE PROTECTION
CHAPTER 1: OFFICE OF THE STATE FIRE MARSHAL

PART 180
STORAGE, TRANSPORTATION, SALE AND USE OF
GASOLINE AND VOLATILE OILS

Section

- 180.10 Definitions
- 180.15 Incorporation of National Standards
- 180.20 Aboveground Storage - Dispensing
- 180.21 Dispensing Tank Connected by Associated Piping to a Bulk Tank
- 180.22 Retail Dispensing from Aboveground Tanks at Airports
- 180.23 Fueling of Aircraft from Tank Trucks
- 180.25 Home Rule Modification of Aboveground Storage -- Dispensing (Emergency Expired)
- 180.30 Gasoline Containers Must Be Red
- 180.40 Industrial and Commercial Use
- 180.50 Use Within Buildings Restricted
- 180.60 No Pouring Into Sewers
- 180.70 Storage in Public Buildings Restricted
- 180.80 Use in Starting Fires
- 180.90 Keep Fire Away
- 180.100 Heating and Lighting Appliances
- 180.150 Dry Cleaning Plants
- 180.200 Oil Burning Equipment

AUTHORITY: Implementing and authorized by Section 2 of the Gasoline Storage Act [430 ILCS 15/2].

SOURCE: Gasoline and Volatile Oils - General Rules, filed July 10, 1958; amended July 23, 1965 and April 14, 1977; codified at 5 Ill. Reg. 10695; emergency amendment at 8 Ill. Reg. 24744, effective December 7, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 12719, effective August 12, 1985; emergency amendments at 13 Ill. Reg. 1875, effective January 27, 1989, for a maximum of 150 days; emergency amendments at 13 Ill. Reg. 1875, effective January 27, 1989, for a maximum of 150 days; emergency expired June 26, 1989; amended at 13 Ill. Reg. 14978, effective September 7, 1989; amended at 20 Ill. Reg. 4711, effective March 11, 1996; amended at 21 Ill. Reg. _____, effective _____.

Section 180.20 Aboveground Storage - Dispensing

- a) Storage of Class I, II or III liquids (except kerosene) shall be in accordance with 41 Ill. Adm. Code 160 and 41 Ill. Adm. Code 170 except aboveground storage for dispensing may occur at the following facilities under the following circumstances:

- 1) Agricultural storage, which is limited to farms, tree nurseries,

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- fish farms, tree farms, sod farms or orchards;
- 2) Storage at commercial, industrial, governmental or manufacturing establishments for fueling vehicles used in connection with their business;

- 3) Storage at construction sites for refueling construction equipment; or

- 4) Storage at airports as addressed in Section 180.22 of this Part.

- b) Dispensing at the facilities specified in subsection (a)(2) ~~or~~ (3) shall only be in accordance with the following:

- 1) An inspection of the premises and operations has been made and approval granted by the Office of the State Fire Marshal (approval shall be granted if curb pumps are not present and if pumps are not located in any portion of a public roadway);

- 2) The dispensing is done on premises not open to the public;

- 3) The tanks are safeguarded against collision, spillage or overflow to the satisfaction of the authorities having jurisdiction;

- 4) Each tank system is listed or approved for such aboveground use by the Office of the State Fire Marshal; in granting such approval, the Office shall consider the following elements:

A) leaks;

- B) compatibility of the tank and line with the product contained in the tank;

- C) whether any equipment has been recalled by the manufacturer;

- D) whether wiring at the dispensing location is in a rigid metal conduit within a radius of 30 feet and is otherwise in compliance with the National Electric Code (NEPA 70) 1987 (no subsequent dates or editions); and

- E) whether the dispensing location has seal-offs at all connections;

- 5) A top-fill opening shall be provided and shall be equipped with a closure designed so that it may be locked;

- 6) A vent shall be provided to relieve such vacuum or pressure as will develop in normal operation. The vent shall have a minimum unobstructed opening of one and one-half inches in diameter and the vent shall be elevated to a height of at least four feet (unless directed in writing by the Office of the State Fire Marshal to a greater height, based on construction characteristics of the tank and fire safety considerations) or unless approval in writing for a lower height is granted by the Office of the State Fire Marshal, based upon construction characteristics of the tank in question or unique physical conditions that prevent a vent of that height from being installed;

- 7) Tanks shall be equipped with a permanently connected pumping device listed by Underwriters Laboratories (UL) (as printed on page 4 of the Fire Protection Equipment Directory published by Underwriters Laboratories, January 1988 (no subsequent dates or

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editions)) or FM Engineering (as printed on page ii of the Factory Mutual System Approval Guide 1989 published by Factory Mutual Research Corporation, 1989 (no subsequent dates or editions)). The pump shall be equipped with a padlock to prevent tampering. An antisiphoning device shall be included in the pump discharge, and siphons or internal pressure discharge devices are prohibited. Gravity method of discharge is prohibited;

8) Tanks for the storage of flammable or combustible liquids shall be marked with the name of the product they contain and "FLAMMABLE - KEEP FIRE AND FLAME AWAY", both in letters at least four inches high and in contrasting color from the tank on which they are marked;

9) Except as provided in Section 180.22 of this Part, a maximum of two aboveground tanks per facility of up to 2,500 gallons each shall be allowed for storage of flammable or combustible liquids, provided such liquid is stored outside buildings in a tank(s) constructed throughout of steel and made vapor tight (as determined by such tests as a pressure test and volumetric test). Tanks shall be designed and constructed according to standards specified in 41 Ill. Adm. Code 160.15, 160.70-160, 160.80-240; and

10) Tanks shall be kept outside and at least 30 feet from any building or combustible or flammable stored liquid or liquid petroleum and shall be so located, or such additional distance to buildings shall be provided, to insure that no vehicle, equipment or vessel being filled directly from any such tank shall be closer than 30 feet to any building, combustible or flammable stored liquid, liquid petroleum (LP) gas tank or property lines, except that a tank protected within a two-hour fire resistant enclosure (the time, in minutes or hours, that materials or assemblies have withstood a fire exposure as established in accordance with the test procedures of NFPA 251, Standard Methods of Fire Tests of Building Construction and Materials, 1985 (no subsequent dates or editions)) may be located adjacent to a structure after a request in writing to construct such an enclosure has been submitted to the Office of the State Fire Marshal and the Office has issued an approval in writing.

c) Dispensing at facilities specified in subsections (a)(1) and (a)(3) of this Section shall only be in accordance with the following:

- 1) A top-fill opening shall be provided and shall be equipped with a closure designed so that it may be locked;
- 2) A vent shall be provided to relieve such vacuum or pressure as will develop in normal operation; such vent shall have a minimum unobstructed opening of one and one-half inches in diameter;
- 3) Tanks shall be equipped with a permanently connected pumping device; the pump shall be equipped with a padlock to prevent tampering; an effective antisiphoning device shall be included in

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the pump discharge; and siphons or internal pressure discharge devices are prohibited;

4) Tanks elevated for gravity discharge may be designed with an opening in the bottom or end of the tank for gravity dispensing of flammable or combustible liquids and shall be mounted and equipped as follows:

A) Supports to elevate the tank shall be of steel and designed to provide stability;

B) Openings for gravity discharge shall be equipped with an internal safety valve, which will close automatically in the event of fire through the operation of a heat actuated releasing device. The valve shall also be capable of being manually operated. If this valve cannot be operated manually, it shall be supplemented by a second manually operated valve. The gravity discharge outlet shall be provided with an approved hose equipped with a self-closing nozzle at the discharge end and be of a type that can be padlocked to its hanger to prevent tampering;

C) When not being used to dispense fuel, nozzles shall be hung off of the ground on a hanger and shall be padlocked in place to avoid tampering;

5) Tanks for the storage of flammable or combustible liquids shall be marked with the name of the product they contain and "FLAMMABLE - KEEP FIRE AND FLAME AWAY", both in letters at least four inches high and in contrasting color from the tank on which they are marked; and

6) Facilities described in subsection (a)(1) of this Section shall be allowed a maximum of four aboveground tanks per facility of up to 2,500 gallons each shall be allowed for storage of flammable or combustible liquids, provided the total aggregate aboveground dispensing tank storage capacity at the facility does not exceed 5,000 gallons, and any such liquid is stored outside buildings in a tank constructed throughout of steel and made vapor tight;

7) Facilities described in subsection (a)(3) of this Section shall be allowed a maximum of two aboveground fuel dispensing tanks per facility of up to 2,500 gallons each for storage of flammable or combustible liquids, provided any such liquid is stored in a tank constructed throughout of steel and made vapor tight;

8) Tanks shall be located as required by subsection (b)(10) of this Section.

- d) Storage of kerosene inside buildings.
- 1) At a facility, for personal or private use, a maximum of 12 gallons of kerosene inside buildings may be stored aboveground in containers which meet the requirements of NFPA 30 (Flammable and Combustible Liquids Code) (1987).
 - 2) Sixty gallons or less may be stored in an aboveground tank at a facility for retail trade within a building, providing storage is

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in compliance with the following:

- A) Storage is in a tank of at least 14 gauge steel or aluminum;
 - B) Tank shall sit in a metal pan extending at least eight inches beyond the sides and rear of the tank and 18 inches beyond the front;
 - C) The tank shall be located on the first floor in an area supplied with natural light and ventilation;
 - D) The room or area where the tank is located shall be separated from any heat producing appliance, such as a hot water heater, furnace or space heater (radiators and hot air ducts are not considered heating appliances for this purpose), by one hour fire resistance as defined in ASTM E-119 (Fire Endurance Test) (1989);
 - E) The dispensing nozzle or spigot of the tank shall be spring loaded so as to return to the off position when pressure is released and so that pressure is constantly required to cause release of the kerosene;
 - F) The tank shall be blue in color and marked with the word "Kerosene" in letters at least two and one-half inches high in contrasting color.
- 3) Sixty gallons or less may be stored in a metal drum at a facility for retail trade within a building, providing storage is in compliance with the following:
 - A) The metal drum shall be stored in a storage cabinet that meets the requirements of 49 CFR Chapter I (1987);
 - B) The storage cabinet shall sit in a metal pan extending at least eight inches beyond the sides and rear of the storage cabinet;
 - C) The room or area where the storage cabinet is located shall be separated from any heat producing appliance, such as a hot water heater, furnace or space heater (radiators and hot air ducts are not considered heating appliances for this purpose), by one hour fire resistance as defined in ASTM E-119 (Fire Endurance Test) (1989); and
 - D) The design and construction of storage cabinets, except as otherwise provided in this subsection (d)(3), shall be in compliance with 4-3 of NFPA 30 (Flammable and Combustible Liquids Code) (1987).
 - 4) Factory-sealed containers of 1-K grade kerosene may be stored at a facility for retail trade within a building in compliance with ASTM F 976-86 (Portable Kerosene Containers for Consumer Use) (1986) and 4-5.5 of NFPA 30 (Flammable and Combustible Liquids Code) (1987).
 - e) Storage of kerosene outside buildings shall be in accordance with 41 Ill. Adm. Code 160 and 170, except a maximum of 550 gallons of kerosene may be kept aboveground at a facility (including at service stations) in a tank or tanks of 550 gallons or less capacity under the following conditions:

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- 1) When located at a service station, the dispensing tank shall be in a location at least eight feet away from driveways and other areas used by vehicles for customers or to deliver products;
 - 2) The dispensing nozzle or spigot of the tank shall be spring loaded so as to return to the off position when pressure is stopped and so that pressure is constantly required to cause release of the product;
 - 3) The tank shall be a skid tank or on a noncombustible base and the area under the tank and for 24 inches in all directions shall be either paved or covered with gravel and kept free of vegetation and combustible material;
 - 4) The tank shall be blue in color and marked with the word "Kerosene" in letters at least two and one-half inches high in a contrasting color;
 - 5) The dispensing nozzle or spigot of the tank shall be locked when the kerosene is not being dispensed; and
 - 6) The kerosene may only be dispensed by the owner, lessor or lessee of the facility, or their employees; no self-service of kerosene from an aboveground tank shall be allowed.
- f) Kerosene Labeling.
 - 1) A sign with the following caution shall be posted at the point of sale and the dispensing point: "Caution Portable Unvented Kerosene Heaters Must Only Be Fueled With Grade 1-K Kerosene." This sign shall be of all-weather material and not less than 12" x 18" in size with letters at least one inch high on a contrasting background; and
 - 2) Where other grades of kerosene than 1-K are offered for sale, the grade of kerosene shall be identified at the point of sale or dispensing.
 - g) Any spill of Class I, II or III liquids in excess of 25 gallons at any facility at which they may be dispensed pursuant to this Section shall be reported to the Illinois Emergency Management Agency within 24 hours after such spill.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Affordable Housing Bond Program

2) Code Citation: 47 Ill. Adm. Code 365

3) Section Numbers: Proposed Action:
365.110 Repeal

4) Statutory Authority: Sections 4 and 7(e) of the Illinois Affordable Housing Act [310 ILCS 65/4 and 7(e)] and Sections 7.19 and 7.25 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.25].

5) A Complete Description of the Subjects and Issues Involved: This amendment corrects the waiver Section of this Part 365 to comply with the Illinois Administrative Procedure Act.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This proposed amendment does not modify a State mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments, data, views or arguments concerning this rulemaking in writing within 45 days after the date of publication of this notice to:

Richard B. Muller, Esq.
401 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
312/836-5327

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

The full text of the Proposed Amendment begins on the next page:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITYPART 365
AFFORDABLE HOUSING BOND PROGRAM

SUBPART A: GENERAL RULES

Section

365.101 Authority
365.102 Purpose and Objectives
365.103 Definitions
365.104 Borrowing by the Authority
365.105 Compliance with Law
365.106 Standards
365.107 Authority Determinations
365.108 Forms and Procedures for the Program
365.109 Fees and Charges of the Authority
365.110 Waiver (Repealed)
365.111 Amendment
365.112 Severability
365.113 Gender and Number
365.114 Titles and Captions
365.115 Calendar Days

SUBPART B: ELIGIBILITY

Section

365.201 Eligible Activities
365.202 Market Rate Developments
365.203 Eligible Mortgagees Who May Receive Loans
365.204 Land Trusts

SUBPART C: APPLICATION

Section

365.301 Application
365.302 Site and Market Study
365.303 Staff Recommendation to the Advisory Commission
365.304 Authority Determination
365.305 Conditional Commitment

SUBPART D: NOTICE OF PROPOSED MULTI-FAMILY DEVELOPMENTS

Section

365.401 Applicability and Purpose of Notification
365.402 Notification by Authority
365.403 Comments and Responses

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

365.404 Compilation of Comments and Responses
365.405 Hearings

SUBPART E: OWNER OF MULTI-FAMILY PROJECTS

Section

365.501 Eligible Mortgagees
365.502 Organizational Documents
365.503 Books and Records
365.504 Audits
365.505 Annual Financial Report
365.506 Furnishing Information
365.507 Standards for Approval of Conveyance
365.508 Purchase of Authority Bonds and Notes

SUBPART F: MORTGAGE LOANS TO DEVELOPMENTS

Section

365.601 Maximum Loan Amount for Developments
365.602 Maturity of Loans
365.603 Recapture of Assistance
365.604 Prepayment of Loan

SUBPART G: RETURN ON EQUITY

Section

365.701 Statutory Authorization Establishing Rate of Return
365.702 Equity and Distributions
365.703 Development Funds and Property
365.704 Reserve Fund for Replacements

SUBPART H: CONSTRUCTION

Section

365.801 Design and Construction Standards

SUBPART I: ENERGY EFFICIENCY

Section

365.901 Standards

SUBPART J: CERTIFICATIONS

Section

365.1001 Environmental Assessment
365.1002 Other Laws

SUBPART K: MARKETING AND MANAGEMENT

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

Section
 365.1101 Marketing and Management
 365.1102 Marketing and Management Plans
 365.1103 Maintenance
 365.1104 Cost of Service

SUBPART L: TENANTS AND OCCUPANCY

Section
 365.1201 Displacement
 365.1202 Relocation Plan
 365.1203 Tenant Selection Plan
 365.1204 Income and Rent Limits
 365.1205 Commercial Facilities

AUTHORITY: Implementing Sections 7.19 and 7.25 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.25] and authorized by Sections 4 and 7(e) of the Illinois Affordable Housing Act [310 ILCS 65/4 and 7(e)].

SOURCE: Emergency Rules adopted at 18 Ill. Reg. 1596, effective January 12, 1994, for a maximum of 150 days; adopted at 18 Ill. Reg. 8633, effective May 25, 1994; amended at 21 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL RULES

Section 365.110 Waiver (Repealed)

By resolution, the Members may authorize the Director to waive or vary particular provisions of this part to conform with the requirements of applicable State or Federal law or to conform with the determination of the Authority that the application of such provisions may result in undue hardship or produce an unreasonable result:

(Source: Repealed at 21 Ill. Reg. _____, effective _____.)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Affordable Housing Program
- 2) Code Citation: 47 Ill. Adm. Code 360
- 3) Section Numbers: Proposed Action:
360.109 Repeal
- 4) Statutory Authority: Sections 4 and 7(e) of the Illinois Affordable Housing Act [310 ILCS 65/4 and 7(e)] and Sections 7.19 and 7.25 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.25].
- 5) A Complete Description of the Subjects and Issues Involved: This amendment corrects the waiver Section of this Part 360 to comply with the Illinois Administrative Procedure Act.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This proposed amendment does not modify a State mandate.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments, data, views, or arguments concerning this rulemaking in writing within 45 days after the date of publication on this notice to:

Richard B. Muller, Esq.
401 N. Michigan Ave., Suite 900
Chicago, IL 60611
312/836-5327
- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 1997

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

The full text of this Proposed Amendment begins on the next page:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 360

AFFORDABLE HOUSING PROGRAM

SUBPART A: GENERAL RULES

Section	Authority
360.101	Purpose and Objectives
360.102	Definitions
360.103	Borrowing by the Authority
360.104	Compliance with Federal Law
360.105	Standards - Criteria
360.106	Forms and Procedures for the Program
360.107	Fees and Charges of the Authority
360.108	Waiver (Repealed)
360.109	Amendment
360.110	Severability
360.111	Gender and Number
360.112	Titles and Captions
360.113	Calendar Days
360.114	

SUBPART B: USES

Section	Recipients
360.201	Beneficiaries
360.202	Permitted Uses of Trust Fund Monies
360.203	Market Rate Developments
360.204	

SUBPART C: APPLICATION

Section	Application
360.301	Form
360.302	Review
360.303	Initial Contact
360.304	Site and Market Study/Rental Analysis
360.305	Feasibility Determination (Repealed)
360.306	Staff Recommendation
360.307	Advisory Commission
360.308	Authority Determination
360.309	Conditional Commitment
360.310	

SUBPART D: NOTICE

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

Section
360.401 Notification by Authority
360.402 Comments and Responses

SUBPART E: RECIPIENT

Section
360.501 Eligible Applicants (Repealed)
360.502 Land Trusts
360.503 Books and Records
360.504 Audits
360.505 Annual Financial Report
360.506 Furnishing Information
360.507 Standards for Approval of Conveyance

SUBPART F: LOANS AND GRANTS

Section
360.601 Maximum Loan Amount and Priority
360.602 Maximum Grant Amount
360.603 Increase Above Maximum Loan or Grant Amount
360.604 Amortization
360.605 Recapture of Assistance
360.606 Prepayment of Loan

SUBPART G: CONSTRUCTION

Section
360.701 Design and Construction Standards

SUBPART H: MARKETING AND MANAGEMENT

Section
360.801 Marketing and Management
360.802 Marketing and Management Plans
360.803 Maintenance
360.804 Cost of Service

SUBPART I: TENANTS AND OCCUPANCY

Section
360.901 Displacement
360.902 Relocation Plan
360.903 Tenant Selection Plan and Participant Selection Plan
360.904 Income and Housing Expense Limits
360.905 Non-Discrimination

SUBPART J: ENERGY EFFICIENCY

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

Section
360.1001 Standards

SUBPART K: CERTIFICATIONS

Section
360.1101 Environmental Assessment
360.1102 Other Laws

AUTHORITY: Implementing Sections 4 and 7(e) of the Illinois Affordable Housing Act [310 ILCS 65/4 and 7(e)] and authorized by Sections 7.19 and 7.25 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.25].

SOURCE: Emergency rules adopted at 14 Ill. Reg. 2094, effective January 22, 1990, for a maximum of 150 days; adopted at 14 Ill. Reg. 9117, effective May 24, 1990; amended at 15 Ill. Reg. 17088, effective November 19, 1991; emergency amendment at 18 Ill. Reg. 2124, effective January 12, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 8663, effective May 25, 1994; amended at 21 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL RULES

Section 360.109 Waiver (Repealed)

By resolution, the Members may authorize the Director to waive or vary, after review by the Advisory Commission, particular provisions of this part to conform with the requirements of applicable State or Federal law or to conform with the determination of the Authority that the application of such provisions may result in undue hardship or an unreasonable result.

(Source: Repealed at 21 Ill. Reg. _____, effective _____.)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Homeowner Mortgage Revenue Bond Program
- 2) Code Citation: 47 Ill. Adm. Code 260
- 3) Section Numbers: 260.109
Proposed Action: Repeal
- 4) Statutory Authority: Sections 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23].
- 5) A Complete Description of the Subjects and Issues Involved: This amendment corrects the waiver Section of this Part 260 to comply with the Illinois Administrative Procedure Act.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other proposed rulemakings pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This proposed amendment does not modify a State mandate.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments, data, views or arguments concerning this rulemaking in writing within 45 days after the date of publication of this notice to:

Richard B. Muller, Esq.
401 N. Michigan Ave., Suite 900
Chicago, IL 60611
312/836-5327

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1997

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

The full text of the Proposed Amendment begins on the next page:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 260

HOMEBOWNER MORTGAGE REVENUE BOND PROGRAM

SUBPART A: GENERAL RULES

Section

260.101 Authority
 260.102 Purposes and Objectives
 260.103 Definitions
 260.104 Borrowing by the Authority
 260.105 Compliance with Federal Law
 260.106 Standards
 260.107 Forms for the Program
 260.108 Fees and Charges of the Authority
 260.109 Waiver (Repealed)
 260.110 Amendment
 260.111 Severability
 260.112 Gender and Number
 260.113 Titles and Captions
 260.114 Calendar Days

SUBPART B: LENDER APPLICATION PROCESS

Section

260.201 Invitations to Sell Mortgage Loans
 260.202 Security for Allocation of Net Proceeds
 260.203 Allocation of Net Proceeds for Purchase of Mortgage loans
 260.204 Notice of Acceptance
 260.205 Commitments for Mortgage Loans

SUBPART C: HOMEBUILDER APPLICATION PROCESS

Section

260.301 HomeBuilder Invitations
 260.302 Reservation of Funds for Construction of Qualified Dwellings
 260.303 Notice of Reservation of Funds
 260.304 Real Estate Purchase Contracts
 260.305 Transfer of Reserved Funds

SUBPART D: PURCHASE OF MORTGAGE LOANS

Section

260.401 Mortgage Loans
 260.402 Yield on Mortgage Loans

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

260.403 Terms and Conditions of the Purchase of Mortgage Loans
 260.404 Prepayment
 260.405 Targeted Area Residences
 260.406 Supplemental Mortgage Coverage
 260.407 Special Hazard Insurance

SUBPART E: ADMINISTRATIVE RULES

Section

260.501 Restrictions on Return Realized by Lenders
 260.502 Servicing of Mortgage Loans
 260.503 Purchase of Authority Bonds
 260.504 Equal Opportunity Lending
 260.505 Inspection of Books and Records
 260.506 Termination

AUTHORITY: Authorized by Sections 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23].

SOURCE: Adopted at 18 Ill. Reg. 17229, effective November 16, 1994; amended at 21 Ill. Reg. _____, effective _____.

EDITOR'S NOTE: The federal agency referred to in this Part as the "VA" and "The United States Veterans' Administration" changed its name in 1989 to the United States Department of Veterans Affairs.

SUBPART A: GENERAL RULES

Section 260.109 Waiver (Repealed)

The Authority by resolution may waive or vary particular provisions of this Part to conform to changes in the requirements of applicable State or Federal law. The Authority will follow up the resolution with rulemaking that reflects such requirements of State or Federal law as expeditiously as possible.

(Source: Repealed at 21 Ill. Reg. _____, effective _____)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Multifamily Rental Housing Mortgage Loan Program

2) Code Citation: 47 Ill. Adm. Code 310

3) Section Numbers: Proposed Action:
310.109 Repealed
310.702 Amendment

4) Statutory Authority: Implemented and authorized by the Illinois Housing Development Act [20 ILCS 3805]

5) A Complete Description of the Subjects and Issues Involved: The first proposed amendment corrects the waiver Section of this Part 310 to comply with the Illinois Administrative Procedure Act. The second proposed amendment deletes a provision concerning market rate tenants because IHDA is not required to regulate such tenants.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This proposed rulemaking does not create a State Mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments, data, views or arguments concerning this rulemaking in writing within 45 days after the date of publication of this *Illinois Register* to:

Richard B. Muller, Esq.
401 N. Michigan Ave., Suite 900
Chicago, IL 60611
312/836-5327

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: The proposed amendment will have a favorable impact on owners of developments on which the Illinois Housing Development Authority holds a mortgage. It will have no impact on any other small business.

B) Reporting, bookkeeping or other procedures required for compliance:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1997

The full text of the Proposed Amendments begins on the next page:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 310

MULTIFAMILY RENTAL HOUSING MORTGAGE LOAN PROGRAM

SUBPART A: GENERAL RULES

Section
310.101
310.102
310.103
310.104
310.105
310.106
310.107
310.108
310.109
310.110
310.111
310.112
310.113
310.114

Authority
Purpose and Objectives
Definitions
Borrowing by the Authority
Compliance with Federal Law
Standards
Forms and Procedures for the Program
Fees and Charges of the Authority
Waiver (Repealed)
Amendment
Severability
Gender and Number
Titles and Captions
Calendar Days

SUBPART B: NOTICE OF PROPOSED DEVELOPMENTS

Section
310.201
310.202
310.203
310.204
310.205
310.206

Applicability and Purpose of Notification
Notification by Authority
Comments and Responses
Conditional Commitment Application
Hearings
Notice of Issuance of Conditional Commitment Letter

SUBPART C: OWNER

Section
310.301
310.302
310.303
310.304
310.305
310.306
310.307
310.308
310.309

Eligible Mortgages
Land Trusts
Organizational Documents
Books and Records
Audits
Annual Financial Report
Furnishing Information
Purchase of Authority Bonds and Notes
Standards for Approval of Conveyance and Amendment of Documents

SUBPART D: MORTGAGE LOAN

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

Section
310.401
310.402
310.403
310.404
310.405

Maximum Mortgage Loan Amount
Maturity of Mortgage Loans
Equity and Distributions
Development Funds and Property
Reserve Fund for Replacements

SUBPART E: CONSTRUCTION

Section
310.501

Design and Construction Standards

SUBPART F: MARKETING AND MANAGEMENT

Section
310.601
310.602
310.603
310.604

Marketing and Management
Marketing and Management Plans
Maintenance
Cost of Services

SUBPART G: OCCUPANCY

Section
310.701
310.702
310.703

Tenant Selection Plan
Income Limits
Commercial Facilities

SUBPART H: RATE OF RETURN ON EQUITY FOR
LIMITED-PROFIT ENTITIES

Section
310.801
310.802
310.803
310.804
310.805
310.806

Statutory Authorization
Developments Eligible for Increased Rate of Return
Retroactive Adjustments
Calculation of Alternate Basic Rate of Return
Risk Premium for Special Needs
Increases in the Basic Rate of Return

SUBPART I: ENERGY EFFICIENCY STANDARDS FOR NEW AND
REHABILITATED DEVELOPMENTS

Section
310.901
310.902
310.903
310.904
310.905
310.906

Statutory Authorization
Definitions
Incorporation of National Standards
Thermal Requirements
Air Infiltration Requirements
Doors, Windows and Glass

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

310.907 Mechanical Work
 310.908 Insulation
 310.909 Mechanical Work Insulation
 310.910 Electrical Work
 310.911 Energy Audit Analysis
 310.912 Rehabilitation Guidelines
 310.913 Rehabilitation Waiver

AUTHORITY: Implementing and authorized by the Illinois Housing Development Act [20 ILCS 3805].

SOURCE: Adopted at 5 Ill. Reg. 14583, effective prior to October 24, 1980 as corrected at 6 Ill. Reg. 620; codified at 7 Ill. Reg. 2433; amended at 8 Ill. Reg. 2996, effective February 28, 1984; amended at 9 Ill. Reg. 8631, effective May 29, 1985; emergency amendment at 9 Ill. Reg. 10086, effective June 13, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11296, effective July 5, 1985; amended at 9 Ill. Reg. 14675, effective September 13, 1985; amended at 9 Ill. Reg. 16848, effective October 21, 1985; amended at 10 Ill. Reg. 13657, effective August 4, 1986; amended at 10 Ill. Reg. 13987, effective August 11, 1986; amended at 14 Ill. Reg. 683, effective December 27, 1989; amended at 16 Ill. Reg. 10248, effective June 16, 1992; emergency amendment at 17 Ill. Reg. 13805, effective August 10, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 1939, effective January 21, 1994; amended at 21 Ill. Reg. _____.

SUBPART A: GENERAL RULES

Section 310.109 Waiver (Repealed)

~~By resolution the Members may waive or vary particular provisions of this Part to conform with the requirements of applicable State or Federal law or to conform with the determination of the Authority that the application of such provisions may result in undue hardship or an unreasonable result.~~

(Source: Repealed at 21 Ill. Reg. _____, effective _____.)

SUBPART G: OCCUPANCY

Section 310.702 Income Limits

a) General. A person's or family's initial occupancy of a unit held available for rental to persons and families of low or moderate income, as defined in Section 2(g) of the Act, Treas. Reg. Sec. 1.103-8(b)(8)(v) (1984) (24 CFR 889.103 (1984)), shall be limited to persons and families initially meeting the income limits set forth in subsection (b) of this Section. If a person or family meeting income requirements at the time of initial occupancy subsequently fails to

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

continue to meet such requirements, that failure shall not constitute non-compliance by that Tenant.
 b) Determination of Income Limits.

- 1) For all Developments an income limitation is established equal to 80% of the median family income for the metropolitan statistical area in which the Development is located for that proportion of the units (20%, or 15% in certain targeted areas) as is required by the Treasury Regulations under Section 103(b) of the United States Internal Revenue Code (26 U.S.C. 103(b)), as amended.
- 2) Provided, however, for Developments with Assisted Mortgage Financing, as that term is defined in the Act, involving programs of the United States Department of Housing and Urban Development (HUD), income limitations shall be established (at levels higher or lower than otherwise would be established) which shall be consistent with applicable regulations and/or feasibility criteria of HUD or the Federal Housing Administration programs under the National Housing Act mortgage insurance or co-insurance programs under Sections 207, 220, 221, 236 and 255 of the National Housing Act (24 CFR 207.1 et seq. (1984); 24 CFR 220.1 et seq. (1984); 24 CFR 221.1 et seq. (1984); 24 CFR 236.1 et seq. (1984); 24 CFR 255.1 et seq. (1984)). The limitations may be established as a percentage of median income or as a dollar amount. No such income limitations shall be established for such Developments unless the Authority shall determine that, without the Authority mortgage loans and the HUD related Assisted Mortgage Financing, rentals for such Developments would be required to be at levels which would equal or exceed 30% of the income of the Tenants.
- c) Areas of Determination. Determination of income limits for persons and families of low and moderate income shall be made for metropolitan statistical areas (or segments thereof), as defined in Section 103A(1)(4)(B) of the Internal Revenue Code (26 U.S.C. 103(1)(4)(B) (1984)), in the State and for that portion of the State not within any metropolitan statistical area (or segments thereof). Certification. The Owner shall obtain from each prospective tenant intending to occupy a unit held available for rental to persons and families of low or moderate income a certification of income which shall be submitted by letter to the Authority from the Owner.
- e) Market-Rate Tenants. With respect to Developments for which a conditional commitment letter was issued prior to August 9, 1984 upon initial occupancy of a dwelling unit in a Development financed under the Program, persons and families who will not be subsidized or who will not occupy a subsidized unit shall not have an annual income in excess of seven times the annual rent, without taking into consideration any subsidy applicable to the dwelling unit to be occupied by such tenant.

(Source: Amended at 21 Ill. Reg. _____, effective _____.)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

_____)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Single Family Mortgage Purchase Program

2) Code Citation: 47 Ill. Adm. Code 220

3) Section Numbers: 220.109
Proposed Action: Repeal

4) Statutory Authority: Mortgage Subsidy Bond Tax Act of 1980 (26 U.S.C. 103A) and Sections 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23].

5) A Complete Description of the Subjects and Issues Involved: This amendment corrects the waiver Section of this Part 220 to comply with the Illinois Administrative Procedure Act.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not modify a State mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments, data, views or arguments concerning this rulemaking in writing within 45 days after the date of publication of this notice to:

Richard B. Muller, Esq.
401 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
312/836-5314

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

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NOTICE OF PROPOSED AMENDMENT

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 220

SINGLE FAMILY MORTGAGE PURCHASE PROGRAM

SUBPART A: GENERAL RULES

Section	Authority
220.101	Purpose and Objectives
220.102	Definitions
220.103	Borrowing by the Authority
220.104	Compliance with Federal Law
220.105	Standards
220.106	Forms for the Program
220.107	Fees and Charges of the Authority
220.108	Waiver (Repealed)
220.109	Amendment
220.110	Severability
220.111	

SUBPART B: APPLICATION PROCESS

Section	Invitations to Sell Mortgage Loans
220.201	Applications to Sell Mortgage Loans
220.202	Allocation of Net Proceeds for Purchase of Mortgage Loans
220.203	Notice of Acceptance
220.204	Firm Commitments for Mortgage Loans
220.205	

SUBPART C: PURCHASE OF MORTGAGE LOANS

Section	Mortgage Loans
220.301	Yield on Mortgage Loans
220.302	Terms and Conditions of the Purchase of Mortgage Loans
220.303	Prepayment
220.304	Targeted Area Residences
220.305	Mortgage Pool Insurance
220.306	Arbitrage and Investment Gains
220.307	

SUBPART D: ADMINISTRATIVE RULES

Section	Restrictions on Return Realized by Lenders
220.401	Servicing of Mortgage Loans
220.402	Purchase of Authority Bonds
220.403	Equal Opportunity Lending
220.404	

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF PROPOSED AMENDMENT

220.405 Inspection of Books and Records

AUTHORITY: Implementing the Mortgage Subsidy Bond Tax Act of 1980 (26 U.S.C. 103A) and authorized by Sections 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23].

SOURCE: Adopted at 5 Ill. Reg. 9439, effective September 9, 1981; codified at 7 Ill. Reg. 2505; amended at 21 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL RULES

Section 220.109 Waiver (Repealed)

~~The Authority by resolution may waive or vary particular provisions of this Part to conform to the requirements of applicable federal law or, in exceptional circumstances, to conform with a determination of the Authority that the application thereof may result in undue hardship or an unreasonable result.~~

(Source: Repealed at 21 Ill. Reg. _____, effective _____.)

ILLINOIS HOUSING AUTHORITY

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Single Family Mortgage Purchase Program II

2) Code Citation: 47 Ill. Adm. Code 250

3) Section Numbers: Proposed Action:
250.109 Repeal

4) Statutory Authority: Mortgage Subsidy Bond Tax Act of 1980 (26 U.S.C. 103A) and Section 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23].

5) A Complete Description of the Subjects and Issues Involved: This amendment corrects the waiver Section of this Part 250 to comply with the Illinois Administrative Procedure Act.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This proposed amendment does not modify a State mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments, data, views or arguments concerning this rulemaking in writing within 45 days after the date of publication of this notice to:

Richard B. Muller, Esq.
401 N. Michigan Ave., Suite 900
Chicago, IL 60611
312-836-5327

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

ILLINOIS HOUSING AUTHORITY
NOTICE OF PROPOSED AMENDMENT

The full text of this proposed Amendment begins on the following page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 250

SINGLE FAMILY MORTGAGE PURCHASE PROGRAM II

SUBPART A: GENERAL RULES

Section

250.101 Authority
250.102 Purpose and Objectives
250.103 Definitions
250.104 Borrowing by the Authority
250.105 Compliance with Federal Law
250.106 Standards
250.107 Forms for the Program
250.108 Fees and Charges of the Authority
250.109 Waiver (Repealed)
250.110 Amendment
250.111 Severability
250.112 Gender and Number
250.113 Titles and Captions
250.114 Calendar Days

SUBPART B: APPLICATION PROCESS

Section

250.201 Invitations to Sell Mortgage Loans
250.202 Applications to Sell Mortgage Loans
250.203 Allocation of Net Proceeds for Purchase of Mortgage Loans
250.204 Notice of Acceptance
250.205 Commitments for Mortgage Loans
250.206 Reservation of Allocations by Lenders

SUBPART C: PURCHASE OF MORTGAGE LOANS

Section

250.301 Mortgage Loans
250.302 Yield on Mortgage Loans
250.303 Terms and Conditions of the Purchase of Mortgage Loans
250.304 Prepayment
250.305 Targeted Area Residences
250.306 Mortgage Pool Insurance
250.307 Arbitrage and Investment Gains

SUBPART D: ADMINISTRATIVE RULES

Section

ILLINOIS HOUSING AUTHORITY

NOTICE OF PROPOSED AMENDMENT

- 250.401 Restrictions on Return Realized by Lenders
 250.402 Servicing of Mortgage Loans
 250.403 Purchase of Authority Bonds
 250.404 Equal Opportunity Lending
 250.405 Inspection of Books and Records
 250.406 Termination

AUTHORITY: Implementing the Mortgage Subsidy Bond Tax Act of 1980 (26 U.S.C. Section 103A) and authorized by Sections 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23].

SOURCE: Adopted at 7 Ill. Reg. 10818, effective August 19, 1983; emergency amendment at 8 Ill. Reg. 13880, effective July 25, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 24998, effective December 19, 1984; amended at 21 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL RULES

Section 250.109 Waiver (Repealed)

~~The Authority by resolution may waive or vary particular provisions of this Part to conform to changes in the requirements of applicable Federal law. In addition, the Authority by resolution may waive or vary particular provisions of this Part in exceptional circumstances to conform with a determination of the Authority that the application thereof may result in undue hardship to the lender or eligible borrower or an unreasonable result.~~

(Source: Repealed at 21 Ill. Reg. _____, effective _____.)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Proposed Action:
140.2 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Public Act 89-499
- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments provide Department coverage for eligible persons who reside in specified Supportive Living Facilities (SLFs). These proposed amendments and companion amendments at 89 Ill. Adm. Code 146 under new Subpart B, Supportive Living Facilities, are necessary to implement provisions of Public Act 89-499 allowing the Department to undertake a demonstration project on alternatives to traditional nursing home care. The purpose of the demonstration project is to determine the viability of SLFs that are intended to promote the independence, well-being and dignity of residents in a cost effective manner. The project is designed to provide alternative living arrangements for persons with a disability who are age 22 years or over, or persons who are age 65 years or over. All individuals seeking supportive living services must be found to be in need of a nursing facility level of care, yet have the ability to live independently with some assistance in a home-like setting.
- The objective of the SLF demonstration project is to study alternative settings for long term care, to identify the essential services and supports needed to maintain lighter need individuals in an assisted living environment, and to determine if the SLF option provides a cost effective alternative to nursing facility care.
- The SLF demonstration project will be effective October 1, 1997. The Department anticipates an annual cost savings of approximately \$1 million.
- 6) Will these proposed amendments replace emergency amendments currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
140.413	Amendment	September 12, 1997 (21 Ill. Reg. 12399)
140.470	Amendment	August 29, 1997 (21 Ill. Reg. 11889)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

140.471 Amendment August 29, 1997 (21 Ill. Reg. 11889)
 140.472 Amendment August 29, 1997 (21 Ill. Reg. 11889)
 140.474 Amendment August 29, 1997 (21 Ill. Reg. 11889)

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
 Bureau of Rules and Regulations
 Illinois Department of Public Aid
 201 South Grand Ave. E., 3rd Floor
 Springfield, IL 62763
 (217) 524-3215

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these amendments at the Department of Public Aid's local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 310 South Michigan Avenue, Suite 1700, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

corporations affected: Supportive Living Facilities
 B) Reporting, bookkeeping or other procedures required for compliance:
 None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page

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DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Specialized Health Care Delivery Systems

2) Code Citation: 89 Ill. Adm. Code 146

3) Section Numbers: Proposed Action:

146.200	New Section
146.205	New Section
146.210	New Section
146.215	New Section
146.220	New Section
146.225	New Section
146.230	New Section
146.235	New Section
146.240	New Section
146.245	New Section
146.250	New Section
146.255	New Section
146.260	New Section
146.265	New Section
146.270	New Section
146.275	New Section
146.280	New Section
146.285	New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [30 ILCS 5/12-13] and Public Act 89-499

5) Complete Description of the Subjects and Issues Involved: These proposed amendments concerning supportive living facilities (SLFs) are necessary to implement provisions of Public Act 89-499 allowing the Department to undertake a demonstration project on alternatives to traditional nursing home care. The purpose of the demonstration project is to determine the viability of SLFs that are intended to promote the independence, well-being and dignity of residents in a cost effective manner. The project is designed to provide alternative living arrangements for persons with a disability who are age 22 years or over, or persons who are age 65 years or over. All individuals seeking supportive living services must be found to be in need of a nursing facility level of care, yet have the ability to live independently with some assistance. Rather than providing institutional nursing home care, SLFs will integrate housing, health and personal care and supportive services in a home-like setting.

The objective of the SLF demonstration project is to study alternative settings for long term care, to identify the essential services and supports needed to maintain lighter need individuals in an assisted living environment, and to determine if the SLF option provides a cost effective alternative to nursing facility care.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

The SLF demonstration project will be effective October 1, 1997. The Department anticipates an annual cost savings of approximately \$1 million.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Ave., E., 3rd Floor,
Springfield, IL 62763
217/524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these amendments at the Department of Public Aid's local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 310 South Michigan Avenue, Suite 1700, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Supportive Living Facilities

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Food Service Sanitation Code

2) Code Citation: 77 Ill. Adm. Code 750

3) Section Numbers:

750.10 Amendment

750.540 Amendment

750.551 Amendment

750.1810 Amendment

750.1831 New Section

750.1836 Amendment

750.1865 Amendment

4) Statutory Authority: Implementing the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] and the Sanitary Food Preparation Act [410 ILCS 650] and authorized by Section 21 of the Illinois Food, Drug and Cosmetic Act [410 ILCS 620/21], Section 11.1 of the Sanitary Food Preparation Act [410 ILCS 650/11.1] and the Food Handling Regulation Enforcement Act [410 ILCS 625].

5) A Complete Description of the Subjects and Issues Involved: The proposed rule changes are related to the Food Service Sanitation Manager Certification (FSSMC) Program contained in the Food Service Sanitation Code (77 Ill. Adm. Code 750). This certification program is a well acknowledged method of assuring that trained food service managers prepare and supervise the preparation of safe food for consumers to prevent foodborne illness.

The economic impact of foodborne illness in Illinois is difficult to track because most cases are not reported to the Department. The Centers for Disease Control and Prevention estimate that only 1% to 10% are actually reported. Of those cases only a small number are confirmed through laboratory analysis. The following table lists the estimated costs for confirmed cases of certain foodborne diseases in Illinois. Medical costs include expenditures for physician, hospital and related services, and drugs. Productivity losses are the time lost from work evaluated at the wage rate or the individual's salary. In this period the table clearly shows that this very small portion of the total number of cases of foodborne illness in Illinois exceeds an average cost of \$6.2 million per year. Estimated increases in costs to the Certified FSSMC managers and instructors together are \$1.16 to \$2.32 million per year.

COSTS* PER CASE ASSOCIATED WITH CONFIRMED FOODBORNE ILLNESSES**
IN ILLINOIS FROM 1988 - 1991

Foodborne Illness	1988	1989
	cases x cost/case	cases x cost/case

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Salmonellosis	(2893 x 700) \$2,025,100	(2316 x 700) \$1,621,200
Listeriosis	(12 x 135,000) \$1,620,000	(14 x 135,000) \$1,890,000
Shigellosis	(1973 x 1,200) \$2,367,600	(1331 x 1,200) \$1,597,200
Campylobacteriosis	(739 x 700) \$517,300	(641 x 700) \$448,700
C. Perfringens intoxic	(7 x 5,100) \$35,700	0
C. Botulinum	0	0
Yersiniosis	(12 x 450) \$5,400	(5 x 450) \$2,250
TOTAL	\$6,571,100	\$5,559,350
<u>Foodborne Illness</u>		
	1990	1991
	cases x cost/case	cases x cost/case
Salmonellosis	(3069 x 700) \$2,148,300	(2368 x 700) \$1,657,600
Listeriosis	(5 x 135,000) \$675,000	(35 x 135,000) \$4,725,000
Shigellosis	(1116 x 1,200) \$1,339,200	(995 x 1,200) \$1,194,000
Campylobacteriosis	(687 x 700) \$480,900	(702 x 700) \$491,400
C. perfringens intoxic	0	0
C. Botulinum	0	(1 x 19,900) \$19,900
Yersiniosis	(27 x 450) \$12,150	(26 x 450) \$11,700
TOTAL	\$4,655,550	\$8,099,600

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- * Costs per case based on figures provided by T. Roberts, "Human Illness Costs of Foodborne Bacteria," 1989. Am. J. Agric. Econ.
- ** Estimated cost per case was not available for all type of foodborne illness reported, such as hepatitis A with 851, 1126, 1726 and 1404 cases in 1988, 1989, 1990 and 1991, respectively.
- At the inception of the FSSMC Program, the Department expected that the one required certified food service manager per establishment would train other managers and supervisors in food safety practices in the facility. This has not occurred to a very large extent. Therefore, the Department is proposing that high risk facilities, that is, facilities which have the greatest risk of causing foodborne illness, have a certified food manager on the premises at all times that food is handled.
- The addition of continuing education requirements for recertification of food service managers by training and/or testing gives assurance that all certified individuals will have updated knowledge about changes in food safety regulations, practices and pathogens. This updated knowledge also gives greater credibility to the recertification process which previously allowed managers certified 20 years ago to become recertified with no evidence that they still retained that original knowledge, let alone were aware of updated information. To allow the greatest flexibility in meeting the training and or testing requirements, a number of options will be accepted. Existing training courses, seminars and instructors with food safety training experience will be used whenever possible.
- The intention in providing a 90-day grace period for certificate renewal after the expiration date is to increase the flexibility of the Department's response to requests for late renewals. The late fee as well as the single instance where submitted fees are not refunded will help defray the costs of the additional handling required to process and replace these expired certificates.
- Increasing the eligibility requirements for new FSSMC instructors assures the Department that the candidates are knowledgeable and able to fill the role of "expert" food safety instructor. Increasing the continuing education from 10 to 20 hours in 5 years also assures the Department that approved instructors are keeping up with rule changes, foodborne pathogens and food handling practices. The option for alternate methods of training, in addition to the conventional classroom with a teacher, is being added to allow for new technology being developed or already in use in some approved sponsors of the FSSMC course. These alternate methods provide a greater flexibility in the training process and allow the candidate more choices in meeting the training requirements. In some cases, the alternatives are actually more effective than conventional classroom training. Any alternative method must still meet all qualifying criteria that existing methods must meet for approval.

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The Department is proposing that all approved instructors be allowed to monitor the administration of the state-developed examination, just as they already are for the other approved FSSMC examinations. Private consultants and not-for-profit organizations, previously not included in the category of approved monitors, will now be able to administer any examination. This change also makes the security standard for all examinations equivalent. The Department will increase auditing of courses and exams to verify security.

- 6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No
- 7) Does this Rulemaking Contain an Automatic Repeal Date? No
- 8) Does this Rulemaking Contain any Incorporations by Reference? No
- 9) Are there any Other Proposed Amendments Pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create or expand a State mandate on units of local government.

11) Time, Place and Manner which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules in writing within 45 days after this issue of the *Illinois Register* to:

Gail M. DeVito
Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, IL 62761
(217) 782-2043
E-mail: rules@idph.state.il.us

These rules may have an impact on small businesses. Any small business commenting on these rules shall indicate their status as such, in writing, in their comments.

Notice of Public Hearing

Two public hearings have been scheduled for the purpose of gathering comments concerning this rulemaking as follows:

a) Date, Time and Location of Public Hearings:

November 10, 1997
10:30 a.m. to 12:30 p.m.

James R. Thompson Center

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100 W. Randolph
Chicago, IL 60601
Room number to be published in the next issues of the *Illinois Register*

November 12, 1997
10:30 a.m. to 12:30 p.m.

Illinois Department of Public Health
4th Floor Conference Room
525 W. Jefferson
Springfield, IL 62761

b) Other Pertinent Information:

The hearing will be held for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the Hearing Officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented.
2. No person will be recognized to speak for a second time until all persons wishing to testify have done so. All testimony shall conclude at the specific times except that an individual in the midst of presenting testimony shall be allowed to complete his/her testimony.
3. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the Hearing Officer may impose such other rules of procedure, including the order of call of witnesses, as he/she deems necessary.

12) Initial Regulatory Flexibility Analysis:

A) Types of Small Businesses, Small Municipalities and Not-For-Profit Corporations Affected: Food service establishments, retail food stores and convenience stores with delis, private consultants that train FSSMC managers, organizations such as the Illinois Restaurant Association and Dietary Managers Association that train FSSMC managers.

B) Reporting, Bookkeeping or Other Procedures Required for Compliance: Certified food service sanitation managers will have to provide documentation of having received food safety training and/or testing prior to recertification every 5 years.

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New FSSMC instructors requesting approval will have to submit documentation that they have the required experience as a food service manager or food inspector or the required education.

Approved FSSMC instructors will have to provide documentation of having received 20 instead of the currently required 10 hours of continuing education in food safety related topics every 5 years.

- C) Types of Professional Skills Necessary for Compliance: Individuals desiring to become Department approved FSSMC instructors must possess a minimum of 2 years experience as a food service sanitation manager, 2 years experience as a food inspector, an Associates Degree or higher with at least 15 hours of science related course work.

- 13) Regulatory Agenda on which this rulemaking was summarized: The rule was not included on either of the 2 most recent agendas because: The need for this rulemaking was not apparent when the Department filed its most recent agenda.

The full text of the Proposed Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 750

FOOD SERVICE SANITATION CODE

SUBPART A: GENERAL PROVISIONS

Section	
750.5	Incorporated Materials
750.10	Definitions
750.20	Inspections and Inspection Report

SUBPART B: FOOD SUPPLIES

Section	
750.100	General
750.110	Special Requirements
750.120	General - Food Protection
750.130	General - Food Storage
750.140	Refrigerated Storage
750.150	Hot Storage
750.155	Damaged Food Containers
750.160	General - Food Preparation
750.170	Raw Fruits and Raw Vegetables
750.180	Cooking Potentially Hazardous Foods
750.185	Minimum Food Temperature and Holding Time Required Under Section 750.180(a)(2) for Cooking All Parts of Pork and Game Animals, Comminuted Fish and Meats, and Injected Meats
750.186	Oven Parameters Required for Destruction of Pathogens on the Surface of Roasts of Beef and Corned Beef
750.187	Minimum Holding Times Required at Specified Temperatures for Cooking All Parts of Roasts of Beef and Corned Beef
750.189	Microwave Cooking
750.190	Dry Milk and Dry Milk Products
750.200	Liquid, Frozen, Dry Eggs and Egg Products
750.210	Reheating
750.220	Nondairy Products
750.230	Product Thermometers
750.240	Thawing Potentially Hazardous Foods
750.250	Food Display and Service of Potentially Hazardous Food
750.260	Display Equipment
750.270	Reuse of Tableware
750.280	Dispensing Utensils
750.290	Ice Dispensing
750.300	Condiment Dispensing
750.310	Milk and Cream Dispensing

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750.320 Re-Service
750.330 General - Food Transportation

SUBPART C: PERSONNEL

Section
750.500 General - Employee Health
750.510 General - Personal Cleanliness
750.520 General - Clothing
750.530 General - Employee Practices
750.540 Management Sanitation Training and Certification
750.550 Management Sanitation Certification Examination (Repealed)
750.551 Certificate Issuance
750.560 Certificate Revocation or Suspension

SUBPART D: EQUIPMENT AND UTENSILS

Section
750.600 General - Materials
750.610 Solder
750.620 Wood
750.630 Plastics
750.640 Mollusk and Crustacea Shells
750.650 General - Design and Fabrication
750.660 Accessibility
750.670 In-Place Cleaning
750.680 Thermometers
750.690 Non-Food-Contact Surfaces
750.700 Ventilation Hoods
750.710 General - Equipment Installation and Location
750.720 Table-Mounted Equipment
750.730 Portable Equipment
750.740 Floor-Mounted Equipment
750.750 Aisles and Working Spaces

SUBPART E: CLEANING, SANITIZING, AND STORAGE OF EQUIPMENT AND UTENSILS

Section
750.800 Cleaning Frequency
750.810 Wiping Cloths
750.820 Manual Cleaning and Sanitizing
750.830 Mechanical Cleaning and Sanitizing
750.840 Drying
750.850 Equipment, Utensil, and Tableware Handling
750.860 Equipment, Utensil, and Tableware Storage
750.870 Pre-Set Tableware
750.880 Single-Service Articles

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750.890 Prohibited Storage Area

SUBPART F: SANITARY FACILITIES AND CONTROLS

Section
750.1000 General - Water Supply
750.1010 Transportation
750.1020 Bottled Water
750.1030 Water Under Pressure
750.1040 Steam
750.1050 General - Sewage Disposal
750.1060 General - Plumbing
750.1070 Nonpotable System
750.1080 Backflow
750.1090 Grease Traps
750.1100 Drains
750.1110 General - Toilet Facilities
750.1120 General - Lavatory Facilities
750.1130 Containers - Garbage and Refuse
750.1140 Garbage and Refuse Storage
750.1150 Disposal of Garbage and Rubbish
750.1160 General - Insect and Rodent Control
750.1170 Protection of Openings Against Entrance of Insects and Rodents

SUBPART G: CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES

Section
750.1200 General - Floors
750.1210 General - Walls and Ceilings
750.1220 General - Cleaning Physical Facilities
750.1230 General - Lighting
750.1240 Protective Light Shielding
750.1250 General - Ventilation
750.1260 Special Ventilation
750.1270 Dressing Areas
750.1280 Lockers
750.1290 Poisonous or Toxic Materials Permitted
750.1300 Labeling of Poisonous or Toxic Materials
750.1310 Storage of Poisonous or Toxic Materials
750.1320 Use of Poisonous or Toxic Materials
750.1330 Personal Medications
750.1340 First-Aid Supplies
750.1350 General - Premises
750.1360 Living Areas
750.1370 Laundry Facilities
750.1380 Linens and Clothes Storage
750.1390 Cleaning Equipment Storage

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750.1400 Animals

SUBPART H: MOBILE FOOD SERVICE

Section
 750.1500 General - Mobile Food Units
 750.1510 Restricted Operation
 750.1520 Single-Service Articles
 750.1530 Water Systems
 750.1540 Waste Retention
 750.1550 Base of Operations
 750.1560 Servicing Area
 750.1570 Servicing Operations

SUBPART I: TEMPORARY FOOD SERVICE

Section
 750.1600 General - Temporary Food Service Establishments
 750.1610 Restricted Operations
 750.1620 Ice
 750.1630 Equipment
 750.1640 Water
 750.1650 Wet Storage
 750.1660 Waste Disposal
 750.1670 Handwashing
 750.1680 Floors
 750.1690 Walls and Ceilings of Food Preparation Areas
 750.1700 Single-Service Articles

SUBPART J: FOOD SERVICE SANITATION MANAGER CERTIFICATION

Section
 750.1800 General
 750.1810 Instructor Approval
 750.1815 Instructor Denial
 750.1820 Course Content
 750.1830 Course Approval
 750.1831 Alternative Methods of Training
 750.1835 Make Up Work
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 750.1850 Certification Examination
 750.1855 Testing Criteria
 750.1860 Examination Notification
 750.1861 Class Enrollment Form
 750.1862 Administration of Examination

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750.1865 Monitors
 750.1868 Cheating
 750.1870 Re-test Class
 750.1876 Dictionary
 750.1880 Retake Examination
 750.1890 Certificates
 750.1895 Change of Address

SUBPART K: REDUCED OXYGEN PACKAGING

Section
 750.2000 General
 750.2010 Acceptable Products
 750.2020 Employee Training
 750.2030 Refrigeration Requirements
 750.2031 Labeling - Refrigeration Statements
 750.2032 Labeling - "Use By" Dates
 750.2040 Safety Barriers
 750.2041 Fish and Fishery Products
 750.2042 Safety Barrier Verification
 750.2050 Hazard Analysis Critical Control Point (HACCP) Program
 750.2060 Precautions Against Contamination
 750.2070 Disposition of Expired Product
 750.2080 Dedicated Area/Restricted Access

SUBPART L: MEAT/POULTRY PROCESSING AND LABELING

Section
 750.3000 Exceptions
 750.3100 Meat and Poultry Labeling
 750.3200 Smoked Meat, Poultry and Other Food Products
 750.3300 Curing of Meat and Poultry

APPENDIX A Retail Food Sanitary Inspection Report
 APPENDIX B Examination Date Notification Form
 APPENDIX C Class Enrollment Form
 APPENDIX D Permission to Retake Certification Examination Form
 APPENDIX E Monitor's Agreement Form

AUTHORITY: Implementing the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] and the Sanitary Food Preparation Act [410 ILCS 650] and authorized by Section 21 of the Illinois Food, Drug and Cosmetic Act [410 ILCS 620/21] and Section 11.1 of the Sanitary Food Preparation Act [410 ILCS 650/11.1] and the Food Handling Regulation Enforcement Act [410 ILCS 625].

SOURCE: Adopted December 23, 1975; amended at 2 Ill. Reg. 19, p. 180, effective May 13, 1978; old rules repealed, new rules adopted and codified at 7 Ill. Reg. 1336, effective January 25, 1983; amended at 7 Ill. Reg. 16415,

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effective November 23, 1983; amended at 11 Ill. Reg. 2345, effective February 1, 1987; amended at 11 Ill. Reg. 18735, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 14380, effective September 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17918, effective December 1, 1988; amended at 13 Ill. Reg. 1819, effective January 30, 1989; amended at 13 Ill. Reg. 18888, effective December 1, 1989; amended at 14 Ill. Reg. 19975, effective January 1, 1991; amended at 14 Ill. Reg. 20535, effective January 1, 1991; amended at 16 Ill. Reg. 15995, effective October 1, 1992; amended at 17 Ill. Reg. 18588, effective October 15, 1993; amended at 20 Ill. Reg. 2171, effective January 20, 1996; amended at 20 Ill. Reg. 3210, effective February 5, 1996; amended at 21 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 750.10 Definitions

The following definitions shall apply in the interpretation and the enforcement of this Part:

"Acceptable product list" means a list of foods, acceptable to the regulatory authority, which because of their characteristics will present a barrier to the growth of *Clostridium botulinum*.

"Barrier" means a safety factor of a physical, biological, or chemical nature which inhibits or minimizes the growth of microorganisms including those which may be infectious or toxigenic.

"Beef pattie mix" (or "Beef Patties" if in pattie form) means chopped beef with or without the addition of beef fat as such and/or seasonings.

"Certified food service manager or supervisor" means a person certified in compliance with Section 750.540.

"Cold smoke process" is a smoking process used to apply smoke or a smoke flavor at or below ambient temperature to food products not sufficiently darkened in the original smoking operation.

"Commercially prepared sweet baked goods" means an individually portioned and wrapped, non-potentially hazardous yeast or cake type bread, bun, croissant or roll with or without filling and/or icing.

"Comminuted" means reduced in size by methods including chopping, flaking, grinding or mincing. It includes fish or meat products that are reduced in size and restructured or reformulated, such as gefilte fish, formed roast beef, gyros, ground beef, and sausage; and a mixture of 2 or more types of meat that have been reduced in size and combined, such as sausages made from 2 or more meats.

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"Commissary" means a catering establishment, restaurant, or any other place in which food, containers, or supplies are kept, handled, prepared, packaged or stored.

"Controlled atmosphere packaging (CAP)" means an active packaging system which continuously maintains the desired atmosphere within the package throughout the shelf-life of the product. CAP uses an agent to bind or "scavenge" oxygen permeating the package, or a sachet to emit a gas.

"Cook-chill processing" means a process in which a plastic bag is filled with hot cooked food and the air is expelled while the bag is being sealed before being blast or tumble chilled.

"Corrosion-resistant materials" means those materials that maintain their original surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and bactericidal solutions, and other conditions-of-use environment.

"Critical control point" means any point or procedure in a specific food processing or packaging operation where loss of control may result in an unacceptable health risk.

"Curing" means the placing in or on edible flesh of approved ingredients, such as a solution or mixture containing chloride and nitrite salts of sodium or potassium, water, sodium erythorbate or ascorbate, sodium phosphates, sweeteners (dextrose and cane sugar) and flavorings.

"Dedicated equipment or personnel" means equipment or personnel reserved solely for the use of one food processing operation to prevent cross-contamination.

"Department" means the Illinois Department of Public Health.

"Easily cleanable" means that surfaces are readily accessible and made of such material and finish and so fabricated that residue may be effectively removed by normal cleaning methods.

"Employee" means individuals having supervisory or management duties, and any other person working in a food service establishment.

"Equipment" means stoves, ovens, ranges, hoods, slicers, mixers, meat blocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items other than utensils, used in the operation of a food service establishment.

"Extensively remodeled" means whenever an existing structure is

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converted for use as a retail food establishment; any structural additions or alterations to existing establishments; changes, modifications and extensions of plumbing systems, excluding routine maintenance.

"Field dressed" means the removal of the visceral organs of an animal following the animal's death in the field.

"Food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.

"Food contact surface" means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip, or splash back to surfaces normally in contact with food.

"Food employee" means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces.

"Food processing establishment" means a commercial establishment in which food is manufactured or packaged for human consumption. The term does not include a food service establishment, retail food store, or commissary operation.

"Food service establishment" means any place where food is prepared and intended for, though not limited to, individual portion service, and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term also includes delicatessen type operations that prepare foods intended for individual portion service. The term does not include lodging facilities serving only a continental breakfast, (a continental breakfast is one limited to only coffee, tea, and/or juice and commercially prepared sweet baked goods), private homes or a closed family function where food is prepared or served for individual family consumption, retail food stores or the location of food vending machines.

"Full time" means 30 hours per week or the length of time the facility is in operation, whichever is less.

"Game animal" means an animal, the products of which are food, that is not classified as cattle, sheep, swine, or goat in 9 CFR 301 (Mandatory Meat Inspection, Definitions); as poultry in 9 CFR 381 (Mandatory Poultry Products Inspection, Poultry products inspection regulations); as meat in the Illinois Meat and Poultry Act [225 ILCS 650]; or as fish. Game animal includes wild and not domestically

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raised animals such as reindeer, elk, deer, antelope, water buffalo, bison, rabbit, squirrel, bear, and muskrat; aquatic and nonaquatic birds such as wild ducks and geese, quail, and pheasant; nonaquatic reptiles such as rattlesnakes; and aquatic mammals. It also includes exotic animals as defined in 9 CFR 1 (Animal Welfare, Definition of Terms), such as lion, tiger, leopard, elephant, camel, antelope, anteater, kangaroo and water buffalo, and species of foreign domestic cattle, such as Ankole, Gayal and Yak.

"Ground beef" means chopped or ground beef with or without seasoning and without the addition of beef fat and shall not contain more than 30 percent fat.

"Hamburger" means chopped beef with or without the addition of beef fat and/or seasoning and shall not contain more than 30 percent fat.

"Hazard Analysis Critical Control Point (HACCP) Program" means a comprehensive food safety control plan which includes a step-by-step description of the food processing, packaging and storage procedure including identification of critical control points (CCPs); the food contact surface cleaning and sanitizing procedures; lot identification procedure; and training procedures.

"Hermetically sealed container" means a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its content after processing.

"High risk facility" means a food establishment that presents a high relative risk of causing foodborne illness based on the large number of food handling operations typically implicated in foodborne outbreaks and/or the type of population served by the facility. High risk facilities include those where the following operations occur:

cooling of potentially hazardous foods is part of the food handling operation at the facility;

potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;

potentially hazardous cooked and cooled foods must be reheated;

potentially hazardous foods are prepared for off-premises service for which time-temperature requirements during transportation, holding and service are relevant;

complex preparation of foods or extensive handling of raw ingredients with hand contact for ready-to-eat foods occurs as part of the food handling operations at the facility;

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vacuum packaging and/or other forms of reduced oxygen packaging are performed at the retail level; or

immuno-compromised individuals such as the elderly, young children under age 4 and pregnant women are served, where these individuals comprise the majority of the consuming population.

"Injected" means manipulating a meat so that infectious or toxigenic microorganisms may be introduced from its surface to its interior through tenderizing with deep penetration or injecting the meat, such as with juices, which may be referred to as injecting, pinning or stitch pumping.

"Kitchenware" means all multi-use utensils other than tableware.

"Law" includes State and local statutes, ordinances, and regulations.

"Lodging facilities" means any hotel, motel, motor inn, lodge, inn or other quarters which provides temporary sleeping facilities open to the public.

"Lot" means unique run of processed or packaged product with a specifically designated date and processing operation.

"Low risk facility" means a food establishment that presents a low relative risk of causing foodborne illness based upon few or no food handling operations typically implicated in foodborne illness outbreaks. Low risk facilities include those where the following operations occur:

only pre-packaged foods are available or served in the facility, and any potentially hazardous foods available are commercially pre-packaged in an approved processing plant;

only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages, occurs at the facility; or

only beverages (alcoholic or non-alcoholic) are served at the facility.

"Medium risk facility" means a food establishment that presents a medium relative risk of causing foodborne illness based upon few food handling operations typically implicated in foodborne illness outbreaks. Medium risk facilities include those where the following operations occur:

hot or cold foods are held at required temperatures for no more

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than 12 hours and are restricted to same day services;

foods prepared from raw ingredients use only minimal assembly; and

foods that require complex preparation (whether canned, frozen, or fresh prepared) are obtained from approved food processing plants, high risk food service establishments or retail food stores.

"Mobile food unit" means a vehicle-mounted food service establishment designed to be readily movable.

"Modified Atmosphere Packaging (MAP)" means a one-time gas-flushing and sealing process. The gas atmosphere within the package after sealing is then allowed to passively change due to factors of container permeability and food product respiration.

"Official Methods of Analysis" means the Official Methods of Analysis of the Association of Official Analytical Chemists, 15th Edition, or Standard Methods for Examination of Dairy Products, 15th Edition, as incorporated in Section 750.5 (d) and (e).

"Operational Supervision" means the on-site supervision and management of the food service facility, operations, and employees.

"Packaged" means bottled, canned, cartoned, or securely wrapped.

"Partially defatted beef fatty tissue" means a beef by-product derived from the low temperature rendering (not exceeding 120 degrees Fahrenheit) of fresh beef tissue. Such product shall have a pinkish color and a fresh odor and appearance.

"Person" includes any individual, partnership, corporation, association, or other legal entity.

"Person in charge" means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

"Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include foods which have a pH level of 4.6 or below or a water

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activity (a(w)) value of 0.85 or less.

"Preservative" means any curing agent or curing accelerator (specific chemical agent which extends the shelf life of the product) which cures, accelerates color fixing or preserves color in meat or poultry products including sodium or potassium nitrate, sodium or potassium nitrite, ascorbic acid, erythorbic acid, glucono delta lactone, sodium ascorbate, sodium erythorbate, citric acid, sodium citrate or sodium benzoate.

"Processing" means to manufacture, compound, intermix or prepare food products for sale or for customer service.

"Pushcart" means a non-self-propelled vehicle limited to serving nonpotentially hazardous foods or commissary-wrapped food maintained at proper temperatures, or limited to the preparation and serving of frankfurters.

"Ready-to-eat food" means food that is in a form that is edible without washing, cooking, or additional preparation by the food establishment or the consumer and that is reasonably expected to be consumed in that form. Ready-to-eat food includes:

Unpackaged potentially hazardous food that is cooked to the temperature and time required for specific food under Section 750.180;

Raw, washed, cut fruit and vegetables;

Whole raw fruits and vegetables that are intended for consumption without the need for further washing, such as at a buffet, but excludes whole raw fruits and vegetables offered for retail sale; and

Other food presented for consumption for which further washing or cooking is not required and from which rinds, peels, husks, or shells are removed.

"Reconstituted" means dehydrated food products recombined with water or other liquids.

"Regulatory authority" means the State and/or local enforcement authority or authorities having jurisdiction over the food service establishment.

"Safe materials" means articles manufactured from or composed of materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the

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characteristics of any food. If materials used are food additives or color additives as defined in section 201(s) or (t) of the Federal Food, Drug, and Cosmetic Act, (21 U.S.C. 301 et seq.), they are "safe" only if they are used in conformity with regulations established pursuant to Section 409 or Section 706 of the Act. Other materials are "safe" only if, as used, they are not food additives or color additives as defined in section 201(s) or (t) of the Federal Food, Drug, and Cosmetic Act and are used in conformity with all applicable regulations of the Food and Drug Administration.

"Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level (when those disease organisms which may be present are destroyed so as to prevent transfer) on cleaned food-contact surfaces of utensils and equipment.

"Sealed" means free of cracks or other openings that permit the entry or passage of moisture.

"Showering" means a potable water spray with or without liquid smoke in the smoke house which, depending on when the water spray is applied, maintains humidity, flavors, decreases cooking time, promotes rapid cooling or reduces casing shrinkage.

"Single service articles" means cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, toothpicks, and similar articles intended for one-time, one-person use and then discarded.

"Smoke generator" means a piece of equipment attached or integral to a smoke house which provides smoke to the smoke house, usually by slowly augering sawdust onto a heating element with the resulting smoke being drawn into the smokehouse.

"Smoke house" means a piece of equipment or room sized enclosure used to conduct the smoking process with a smoke source, adequate ventilation, heat and humidity source if necessary, approved plumbing and waste lines if necessary, support structures for the food products to be smoked and a method to determine internal product temperature.

"Smoking" means the process of subjecting meat cuts and other foods to an environment of heat and smoke generated from hardwood, hardwood sawdust, corn cobs or natural liquid smoke that has been transformed into a gaseous state by application of direct heat.

"Special event" means a unique event at a particular location such as a celebration, festival or fundraiser that occurs no more than twice a

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year.

"Tableware" means multi-use eating and drinking utensils.

"Temporary food service establishment" means food service establishment that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

"Utensil" means any implement used in the storage, preparation, transportation, or service of food.

"Voluntary inspection" means an inspection of meat or poultry products that are not subject to the federal or State meat or poultry inspection laws, and for which the federal or State mark of inspection is requested.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

SUBPART C: PERSONNEL

Section 750.540 Management Sanitation Training and Certification

a) All food service establishments as defined in Section 750.10 except low risk facilities shall be under the operational supervision of a certified food service sanitation manager. ~~A minimum--of--one--full--time--certified--food--service--sanitation--manager--shall--be--required--at--each--establishment--provided--however--~~

1) High risk facilities as defined in Section 750.10 shall be required to have a certified food service sanitation manager on the premises at all times potentially hazardous food is being handled. A certified food service sanitation manager is not required on the premises during hours of operation when all food products sold have been prepared and packaged commercially or under the supervision of a certified food service sanitation manager.

2) Medium risk facilities as defined in Section 750.10 shall employ a minimum of one full-time certified food service sanitation manager at each establishment.

b) Special Circumstances.

1) New food service establishments except low risk facilities shall have a certified food service sanitation manager from the initial day of operation ~~to--employ~~ or shall provide documentation of enrollment in an approved course to be completed within three (3) months ~~to--employ~~.

2) Food service establishments which are not in compliance with this Section because of employee turnover or other loss of certified

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personnel, shall have three (3) months from date of loss of certified personnel to comply.

3) Incidental absences of the certified food service sanitation manager due to temporary illness, short errands off the premises, etc., shall not constitute a violation of this Section, provided there is documentation that a certified food service sanitation manager was scheduled to work at that time.

c) ~~b~~ Certification shall be achieved by:

1) Successfully completing a department approved course and monitored examination offered by a testing organization in compliance with the criteria in Subpart J of this Part.

2) Payment to the Department of a \$35 certificate fee.

d) ~~e~~ Original certificates of certified managers shall be maintained at the place of business and shall be made available for inspection.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 750.551 Certificate Issuance

a) Original certificates issued under this Part shall:

1) be issued only after this Department has received both: payment of a \$35--fee--and

A) Evidence of successful completion of an approved Food Service Sanitation Manager Certification examination with a final score of 75% or higher; and

B) Payment of a \$35 fee.

2) Be issued as of the date have--the--issuance--date--as--the--date when the individual successfully completed the examination, and

3) expire five (5) years from the date of the original issuance.

b) Replacement or duplicate certificates issued under this Part shall:

1) be issued after this Department has received payment of a \$10 fee, and

2) have the same expiration date as the original certificate.

c) Renewal certificates shall be issued by the Department at the written request of the certificate holder if the request, documentation of meeting recertification training and/or testing requirements and payment of a \$35 fee is received by the Department prior to or on the certificate's expiration date. Renewed certificates shall expire five years from the date of the original certificate's expiration date.

1) Effective January 1, 1999, certified food service sanitation managers shall have completed one of the following training and/or testing activities within the previous five years before expiration of their certificate:

A) Complete a Department approved 15 hour certification training course;

B) Complete a Department approved examination, developed in compliance with Section 750.1850, with a passing score of

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75% or higher;

- C) Complete a minimum five-hour refresher course provided by an Illinois approved instructor, as defined in Section 750.1810, using a curriculum provided by the Department; or
- D) Complete other training, a minimum of five hours in length, that has received pre-approval by the Department.
- d) If a certificate renewal application is received by the Department with a postmark no later than 90 days after the certificate's expiration date, it shall be renewed, provided the request for renewal is accompanied by a written request for renewal, documentation of having met recertification criteria as listed in subsection (c) and payment of the \$35 fee plus a \$10 late renewal fee for replacement of the original certificate. Any fees submitted after the expiration date of the certificate which are not accompanied by all necessary items listed in subsection (d) above are non-refundable.
- d) An individual with an expired certificate may attempt an approved and monitored Food Service Sanitation Manager Certification examination once within the six months after the expiration date of the original certificate. If the individual successfully completes the examination with a final score of 75 or higher and submits the applicable fee of \$35, a renewed certificate shall be issued in accordance with Section 750.551(c). If the individual does not successfully complete the examination with a final score of 75% or higher, they must complete an approved Food Service Sanitation Manager Certification course before attempting the examination again.
- e) An individual with a certificate which has been expired for more than six months must complete an approved Food Service Sanitation Manager Certification course before attempting the examination.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 750.1810 Instructor Approval

- a) The Food Service Sanitation Manager's Certification course must be taught by a Department approved instructor. Employees of the Illinois Department of Public Health are not eligible to teach the Food Service Sanitation Manager Certification course while employed by the Department. The minimum qualifications for a Department-approved instructor are:
- a) Possession of a high school diploma or its equivalent;
- b) The minimum qualifications for certification or recertification, renewable every 5 years, as a Department approved instructor are all of the following:
- 1) Possession of a high school diploma or its equivalent.
- 2) Possession of a valid State of Illinois Food Service Sanitation Manager Certificate.
- 3) Minimum experience or education prior to initial application or

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recertification as an approved instructor consisting of one of the following:

- A) Two years experience as a food service sanitation manager with written verification from the applicant's employer; or
- B) Two years experience as a retail food inspector with written verification from the applicant's employer; or
- C) Associate's Degree or higher degree with at least 15 hours of science-related course work verified by the educational institution from which the degree was earned; or
- D) Current certification as a Department approved instructor of a Food Service Sanitation Manager Certification course as of January 1, 1998.
- 4) Completion of the Department Food Service Sanitation Manager Certification Instructor's examination with a final score of 90% or higher. An individual can attempt the instructor's examination twice. If they do not receive a final score of 90% or higher is not received after the second attempt, the applicant they must take an approved Food Service Sanitation Manager Certification course again prior to retaking the instructor's examination.
- 5) Effective January 1, 1999, completion Attendance of at least 20 five hours of continuing education every five two-and-one-half years for recertification. The continuing education seminar shall cover food safety and sanitation topics. The following are examples of proof of such attendance:
- A) A college transcript with course description;
- B) A certificate of completion of a course with a course description; or
- C) Documentation of continuing education contact hours for training from a professional.
- 6) When the instructor's certificate has expired for more than 90 days, reaplication shall require compliance with subsections (b)(1) through (4) of this Section.
- e) Employees of the Illinois Department of Public Health are not eligible to teach the Food Service Sanitation Manager Certification course while employed by the Department.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 750.1831 Alternative Methods of Training

Alternate methods of training such as interactive computer programming, interactive video or distance learning may be approved by the Department for purposes of certification or recertification, if the provider/sponsor of the training submits the following information to the Department for approval before use:

- a) Documentation that the training course content is equivalent to the

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course content described in Section 750.1820(b) entitled "Subject Area - Specific Elements of Knowledge".

b) Documentation that the candidate for certification or recertification has successfully participated in a training program which provides the knowledge and skills in food protection management necessary to implement the elements of the course content in Section 750.1820(b). All candidates must certify under oath that they personally completed the alternative training program.

c) The Department reserves the right to evaluate the effectiveness of the alternative method of training. Approval may be revoked if the Department determines that the alternative method of training is not effective in preparing students to pass an approved Food Service Sanitation Manager Certification examination.

(Source: Added at 21 Ill. Reg. _____, effective _____)

Section 750.1836 Home Study

Home study other than make-up work as described in Section 750.1835 shall not be approved by the Department unless it meets the criteria in Section 750.1831 ~~shall not be approved in lieu of the minimum 15-hour in-class course.~~

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 750.1865 Monitors

a) There shall be one approved monitor for every 35 students taking the examination.

b) Approved monitors for the State examination shall be restricted to individuals in one of the following groups and must complete and submit a monitor's agreement form, if the examination location is not a designated regional location. This form must be submitted 30 days prior to the examination date.

- 1) Illinois Department of Public Health personnel;
- 2) Local Health Department personnel;
- 3) State institution personnel; i.e., Department of Corrections; and
- 4) Community colleges or university sponsored personnel; and
- 5) Department approved Food Service Sanitation Manager Certification instructors.

c) Testing organizations approved in Section 750.1855 of this Part must submit for Department review and approval criteria for approving monitors for their examinations.

d) The Department reserves the right to determine who may function in the role as a monitor for the State examination and to audit the performance of any monitor for any approved examination. The Department shall suspend or revoke permission to serve as a monitor in

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the event of a breach of test security, provision of assistance to students taking the exam ~~examinations~~, repeated failure to return exams within a timely manner, cheating, changing of students' answers, duplicating test materials, conflict of interest, and otherwise failing to comply with this Part.

e) The monitor shall confirm the identity of the individual who wishes to take the examination by photograph identification, driver's license or student identification card. In the event that the individual does not have a photographic identification card, a legal document which bears the individual's signature shall be acceptable.

f) The monitor shall confirm that the individual has taken an approved course prior to retaking the examination in one or more of the following methods:

- 1) Instructor at the examination site will confirm that he/she instructed the individual.
- 2) Individual submits the Department fail letter sent to him and the monitor confirms the name and address on the letter against the person's identification.
- 3) Individual submits the "Permission To Retake Certification Examination" form (see See Appendix D) which has been signed by the instructor. The monitor must confirm the name listed on the form with the person's identification.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Retailer's Occupation Tax

2) Code Citation: 86 Ill. Adm. Code 130

3) Section Numbers:
130.1951 Proposed Action:
Amendment

4) Statutory Authority: 35 ILCS 120/5k

5) A Complete Description of the Subjects and Issues Involved: This amendment sets forth how retailers can establish that they are located in the municipality or the unincorporated area of the county that has established the enterprise zone. It also describes how retailers can establish that purchasers purchased qualifying building materials from a qualified retailer.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
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130.330	Amendment	9/26/97, 21 Ill. Reg. 13085
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10) Statement of Statewide Policy Objectives: This rulemaking does not create a State Mandate, nor does it modify any existing State Mandates.

11) Time, place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Martha P. Mote
Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, IL 62794
217-782-6996

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit

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corporations affected: Retailers of building materials.

B) Reporting, bookkeeping or other procedures required for compliance: Registration and recordkeeping.

C) Types professional skills necessary for compliance: Recordkeeping

13) Regulatory Agenda on which this rulemaking was summarized: July 1997

The full text of the Proposed Amendment(s) begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 130

RETAILERS' OCCUPATION TAX

SUBPART A: NATURE OF TAX

Section	
130.101	Character and Rate of Tax
130.105	Responsibility of Trustees, Receivers, Executors or Administrators
130.110	Occasional Sales
130.111	Sale of Used Motor Vehicles by Leasing or Rental Business
130.115	Habitual Sales
130.120	Nontaxable Transactions

SUBPART B: SALE AT RETAIL

Section	
130.201	The Test of a Sale at Retail
130.205	Sales for Transfer Incident to Service
130.210	Sales of Tangible Personal Property to Purchasers for Resale
130.215	Further Illustrations
130.220	Sales to Lessors of Tangible Personal Property

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section	
130.305	Farm Machinery and Equipment
130.310	Food, Drugs, Medicines and Medical Appliances
130.315	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.320	Gasohol
130.321	Fuel Used by Air Common Carriers in International Flights
130.325	Graphic Arts Machinery and Equipment Exemption
130.330	Manufacturing Machinery and Equipment
130.331	Manufacturer's Purchase Credit
130.335	Pollution Control Facilities
130.340	Rolling Stock
130.345	Oil Field Exploration, Drilling and Production Equipment
130.350	Coal Exploration, Mining, Off Highway Hauling, processing, Maintenance and Reclamation Equipment

SUBPART D: GROSS RECEIPTS

Section	
130.401	Meaning of Gross Receipts
130.405	How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser

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130.410	Cost of Doing Business Not Deductible
130.415	Transportation and Delivery Charges
130.420	Finance or Interest Charges--Penalties--Discounts
130.425	Traded-In Property
130.430	Deposit or Prepayment on Purchase Price
130.435	State and Local Taxes Other Than Retailers' Occupation Tax
130.440	Penalties
130.445	Federal Taxes
130.450	Installation, Alteration and Special Service Charges
130.455	Motor Vehicle Leasing and Trade-In Allowances

SUBPART E: RETURNS

Section	
130.501	Monthly Tax Returns--When Due--Contents
130.502	Quarterly Tax Returns
130.505	Returns and How to Prepare
130.510	Annual Tax Returns
130.515	First Return
130.520	Final Returns When Business is Discontinued
130.525	Who May Sign Returns
130.530	Returns Covering More Than One Location Under Same Registration--Separate Returns for Separately Registered Locations
130.535	Payment of the Tax, Including Quarter Monthly Payments in Certain Instances

130.540	Returns on a Transaction by Transaction Basis
130.545	Registrants Must File a Return for Every Return Period
130.550	Filing of Returns for Retailers by Suppliers Under Certain Circumstances

130.551	Prepayment of Retailers' Occupation Tax on Motor Fuel
130.555	Vending Machine Information Returns
130.560	Verification of Returns

SUBPART F: INTERSTATE COMMERCE

Section	
130.601	Preliminary Comments
130.605	Sales of Property Originating in Illinois
130.610	Sales of Property Originating in Other States

SUBPART G: CERTIFICATE OF REGISTRATION

Section	
130.701	General Information on Obtaining a Certificate of Registration
130.705	Procedure in Disputed Cases Involving Financial Responsibility Requirements
130.710	Procedure When Security Must be Forfeited
130.715	Sub-Certificates of Registration

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130.720 Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances

130.725 Display
130.730 Replacement of Certificate
130.735 Certificate Not Transferable
130.740 Certificate Required For Mobile Vending Units
130.745 Revocation of Certificate

SUBPART H: BOOKS AND RECORDS

Section
130.801 General Requirements
130.805 What Records Constitute Minimum Requirement
130.810 Records Required to Support Deductions
130.815 Preservation and Retention of Records
130.820 Preservation of Books During Pendency of Assessment Proceedings
130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

SUBPART I: PENALTIES AND INTEREST

Section
130.901 Civil Penalties
130.905 Interest
130.910 Criminal Penalties

SUBPART J: BINDING OPINIONS

Section
130.1001 When Opinions from the Department are Binding

SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section
130.1101 Definition of Federal Area
130.1105 When Deliveries on Federal Areas Are Taxable
130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Section
130.1201 General Information
130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section

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130.1301 When Lessee of Premises Must File Return for Leased Department
130.1305 When Lessor of Premises Should File Return for Leased Department
130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

SUBPART N: SALES FOR RESALE

Section
130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale
130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale
130.1410 Requirements for Certificates of Resale (Repealed)
130.1415 Resale Number--When Required and How Obtained
130.1420 Blanket Certificate of Resale (Repealed)

SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
130.1501 Claims for Credit--Limitations--Procedure
130.1505 Disposition of Credit Memoranda by Holders Thereof
130.1510 Refunds
130.1515 Interest

SUBPART P: PROCEDURE TO BE FOLLOWED UPON SELLING OUT OR DISCONTINUING BUSINESS

Section
130.1601 When Returns are Required After a Business is Discontinued
130.1605 When Returns Are Not Required After Discontinuation of a Business
130.1610 Cross Reference to Bulk Sales Regulation

SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section
130.1701 Bulk Sales: Notices of Sales of Business Assets

SUBPART R: POWER OF ATTORNEY

Section
130.1801 When Powers of Attorney May be Given
130.1805 Filing of Power of Attorney With Department
130.1810 Filing of Papers by Agent Under Power of Attorney

SUBPART S: SPECIFIC APPLICATIONS

Section
130.1901 Addition Agents to Plating Baths
130.1905 Agricultural Producers

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130.1910 Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage
 Stamps and Like Articles
 130.1915 Auctioneers and Agents
 130.1920 Barbers and Beauty Shop Operators
 130.1925 Blacksmiths
 130.1930 Chiropodists, Osteopaths and Chiropractors
 130.1935 Computer Software
 130.1940 Construction Contractors and Real Estate Developers
 130.1945 Co-operative Associations
 130.1950 Dentists
 130.1951 Enterprise Zones
 130.1952 Sales of Building Materials to a High Impact Business
 130.1955 Farm Chemicals
 130.1960 Finance Companies and Other Lending Agencies - Installment Contracts
 - Repossessions
 130.1965 Florists and Nurserymen
 130.1970 Hatcheries
 130.1975 Operators of Games of Chance and Their Suppliers
 130.1980 Optometrists and Opticians
 130.1985 Pawnbrokers
 130.1990 Peddlers, Hawkers and Itinerant Vendors
 130.1995 Personalizing Tangible Personal Property
 130.2000 Persons Engaged in the Printing, Graphic Arts or Related
 Occupations, and Their Suppliers
 130.2005 Persons Engaged in Nonprofit Service Enterprises and in Similar
 Enterprises Operated As Businesses, and Suppliers of Such Persons
 130.2006 Sales by Teacher-Sponsored Student Organizations
 130.2007 Exemption Identification Numbers
 130.2008 Sales by Nonprofit Service Enterprises
 130.2010 Persons Who Rent or Lease the Use of Tangible Personal Property to
 Others
 130.2011 Sales to Persons Who Lease Tangible Personal Property to Exempt
 Hospitals
 130.2012 Sales to Persons Who Lease Tangible Personal Property to
 Governmental Bodies
 130.2015 Persons Who Repair or Otherwise Service Tangible Personal Property
 130.2020 Physicians and Surgeons
 130.2025 Picture-Framers
 130.2030 Public Amusement Places
 130.2035 Registered Pharmacists and Druggists
 130.2040 Retailers of Clothing
 130.2045 Retailers on Premises of the Illinois State Fair, County Fairs, Art
 Shows, Flea Markets and the Like
 130.2050 Sales and Gifts By Employers to Employees
 130.2055 Sales by Governmental Bodies
 130.2060 Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
 130.2065 Sales of Automobiles for Use In Demonstration
 130.2070 Sales of Containers, Wrapping and Packing Materials and Related

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Products
 130.2075 Sales To Construction Contractors, Real Estate Developers and
 Speculative Builders
 130.2080 Sales to Governmental Bodies, Foreign Diplomats and Consular
 Personnel
 130.2085 Sales to or by Banks, Savings and Loan Associations and Credit
 Unions
 130.2090 Sales to Railroad Companies
 130.2095 Sellers of Casohol, Coal, Coke, Fuel Oil and Other Combustibles
 130.2100 Sellers of Feeds and Breeding Livestock
 130.2105 Sellers of Newspapers, Magazines, Books, Sheet Music and Phonograph
 Records and Their Suppliers
 130.2110 Sellers of Seeds and Fertilizer
 130.2115 Sellers of Machinery, Tools and the Like
 130.2120 Suppliers of Persons Engaged in Service Occupations and Professions
 130.2125 Trading Stamps and Discount Coupons
 130.2130 Undertakers and Funeral Directors
 130.2135 Vending Machines
 130.2140 Vendors of Curtains, Slip Covers, Floor Covering and Other Similar
 Items Made to Order
 130.2145 Vendors of Meals
 130.2150 Vendors of Memorial Stones and Monuments
 130.2155 Vendors of Signs
 130.2156 Vendors of Steam
 130.2160 Vendors of Tangible Personal Property Employed for Premiums,
 Advertising, Prizes, Etc.
 130.2165 Veterinarians
 130.2170 Warehousemen
 ILLUSTRATION A: Examples of Tax Exemption Cards

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS
 120] and authorized by Section 39b3 of the Civil Administrative Code of
 Illinois [20 ILCS 2505/39b3].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective
 December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979;
 amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at
 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p.
 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective
 October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979;
 amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980;
 amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg.
 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective
 November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended
 at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229;
 recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective
 December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended
 at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062,

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effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 19211, effective August 26, 1997; amended at 21 Ill. Reg. _____, effective _____.

SUBPART S: SPECIFIC APPLICATIONS

Section 130.1951 Enterprise Zones

- a) Building Materials Purchased for Physical Incorporation into Real Estate Located in an Enterprise Zone
 - 1) Effective September 1, 1985, a deduction from Illinois Retailers' Occupation Tax liability exists for gross receipts from retail sales of building materials which will be incorporated into real estate located in an enterprise zone by remodeling, rehabilitation or new construction. (Section 5k of the Act)
 - 2) The retailer of qualifying building materials must be located in the municipality or in the unincorporated area of the county which has established the enterprise zone into which the building

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materials will be incorporated. In order to establish that the retailer is located in the municipality or unincorporated area of the county which has established the enterprise zone, the retailer must at the time of sale:

- A) have an identifiable physical presence in the municipality or the unincorporated area of the county that has established the enterprise zone;
- B) be registered with the Department as a retailer at a location in the municipality or in the unincorporated area of the county that has established the enterprise zone; and
- C) be able to document the acceptance of purchase orders at a location in the municipality or the unincorporated area of the county that has established the enterprise zone.

3) In order to establish that the purchaser purchased qualifying building materials from a qualified retailer, the following two separate transactions must exist:

- A) a sale from a supplier to the retailer who is located in the jurisdiction that created the enterprise zone (except as sales for resale); and
- B) a sale from the retailer who is located in the jurisdiction that created the enterprise zone to the purchaser (except by reason of the enterprise zone building materials exemption).

Note: Each of these transactions must exist independent of the other, and the exemption applicable to each transaction must be properly documented. These transactions must be reflected in the books and records of the qualified retailer.

4) The following documentation establishes a sale from a supplier to the retailer who is located in the jurisdiction that created the enterprise zone:

- A) a purchase order from the retailer to the supplier;
- B) a Certificate of Resale from the retailer to the supplier;
- C) an invoice from the supplier to the retailer; and
- D) payment to the supplier from the retailer.

5) The following documentation establishes a sale from the retailer who is located in the jurisdiction that created the enterprise zone to the purchaser:

- A) a purchase order from the purchaser to the retailer;
- B) an enterprise zone building materials certification from the purchaser to the retailer containing all of the information set forth at Section 130.1951(a)(6);
- C) an invoice from the retailer to the purchaser; and
- D) payment to the retailer from the purchaser.

63) A retailer claiming the deduction must have among its books and records a written statement signed by the purchaser setting out facts which establish the deduction. This purchaser's statement must contain the following information:

- A) a certification by the purchaser that the building materials being purchased are being purchased for incorporation into

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real estate located in an enterprise zone;⁷ and

B) a description of the building materials being purchased (this may be done by a cross reference to the retailers' invoice number);⁷ and

C) the location of the real estate into which the building materials will be incorporated (this may be done by reference to the street address of the real estate);⁷ and

D) the name of the enterprise zone in which that real estate is located (and the retailer must insure that he is located within the municipality or in an unincorporated area of the county which established the enterprise zone named in the purchaser's statement);⁷ and

E) the purchaser's signature and date of signing.

74) In order to qualify for the deduction, the materials being purchased must be building materials. That is, they must be purchased for physical incorporation into real estate. For example, gross receipts from sales of:

- A) common building materials such as lumber, bricks, cement, windows, doors, insulation, roofing materials and sheet metal can qualify for the deduction;⁷
- B) plumbing systems and components thereof such as bathtubs, lavatories, sinks, faucets, garbage disposals, water pumps, water heaters, water softeners and water pipes can qualify for the deduction;⁷
- C) heating systems and components thereof such as furnaces, ductwork, vents, stokers, boilers, heating pipes and radiators can qualify for the deduction;⁷
- D) electrical systems and components thereof such as wiring, outlets and light fixtures which are physically incorporated into the real estate can qualify for the deduction;⁷
- E) central air conditioning systems, ventilation systems and components thereof which are physically incorporated into the real estate can qualify for the deduction;⁷
- F) built-in cabinets and other woodwork which are physically incorporated into the real estate can qualify for the deduction;⁷
- G) built-in appliances such as refrigerators, stoves, ovens and trash compactors which are physically incorporated into the real estate can qualify for the deduction;⁷
- H) floor coverings such as tile, linoleum and carpeting which is glued or otherwise permanently affixed to the real estate (tacking is not considered to be physical incorporation) can qualify for the deduction.

85) Items which are not physically incorporated into the real estate cannot qualify for the deduction. For example, gross receipts from sales of:

- A) tools, machinery, equipment, fuel, forms and other items which may be used by a construction contractor at an

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enterprise zone building site, but which are not physically incorporated into the real estate, do not qualify for the deduction;⁷

- B) free-standing appliances such as stoves, ovens, refrigerators, washing machines, portable ventilation units, window air conditioning units, lamps, clothes washers, clothes dryers, trash compactors and dishwashers which may be connected to and operate from a building's electrical or plumbing system but which do not become a component of those systems do not qualify for the deduction;⁷
- C) tacked-down carpeting and other floor coverings which are not physically incorporated into real estate do not qualify for the deduction.

- b) Tangible Personal Property Purchased for Use or Consumption within an Enterprise Zone in the Process of Manufacturing or Assembling by Certain Business Enterprises Certified by the Department of Commerce and Community Affairs

1) Effective September 25, 1985, the Illinois Retailers' Occupation Tax does not apply to retail sales of tangible personal property to be used or consumed within an enterprise zone or subject to the provisions of Section 5.5 of the Enterprise Zone Act, all tangible personal property to be used or consumed by any high impact business, in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease so long as the use or consumption is made by business enterprises which in the case of a high impact business having been designated pursuant to the terms of Section 5.5(a) of the Enterprise Zone Act [20 ILCS 625/5.5] ~~§111-Rev-Stat--1989--ch-67-1/2-par--669-11~~ or which in the case of an enterprise zone:

- A) Either:
 - (i) make investments which cause the creation of a minimum of 200 full-time equivalent jobs in Illinois; or
 - (ii) make investments which cause the retention of a minimum of 2,000 full-time jobs in Illinois; or
 - (iii) make investments of a minimum of \$40,000,000; and
- B) are located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act;⁷ and
- C) are certified by the Department of Commerce and Community Affairs as complying with the requirements specified in subsections (b)(1)(A) and (B); ~~clauses (A) and (B) above~~ and
- D) Retain at least 90% of the jobs in place on the date on which the exemption is granted and for the duration of the exemption. (Sections 1d and 1f of the Act)

- 2) Business enterprises seeking certificates of eligibility must make application to the Department of Commerce and Community Affairs on application forms provided by the Department of Commerce and Community Affairs. The Illinois Department of Revenue has no authority to certify business enterprises for the

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- purposes of this exemption.
- 3) Once a business enterprise is certified, only the use or consumption within the enterprise zone of tangible personal property in manufacturing or assembling qualifies for the exemption. No item to be used or consumed outside the Enterprise Zone qualifies for the exemption. Sales of tangible personal property used in activities which do not constitute manufacturing or assembling remain subject to the tax. The Department has defined manufacturing and assembling at Section **Sections 130.330(b)(2)** through (8) of this Part which are incorporated by reference herein.
- 4) The tangible personal property must be used in a manufacturing or assembling process but is not limited to machinery and equipment. The exemption is available for all tangible personal property used or consumed in manufacturing or assembling and includes *repair and replacement parts for machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale, or lease, and equipment, manufacturing fuels, material and supplies for the maintenance, repair or operation of such manufacturing or assembling machinery or equipment.* (Section 1d of the Act)
- 5) For example, this exemption extends to:
- A) machinery and equipment which would otherwise qualify under the manufacturing machinery and equipment exemption because of being used in the activities set out at Section 130.330(d)(3) of this Part, and repair and replacement parts for such machinery and equipment;
 - B) hand tools used in the activities set out at Section 130.330(d)(3) of this Part;
 - C) materials and supplies, such as abrasives, acids, polishing compounds or lubricants used or consumed in the activities set out at Section 130.330(d)(3) of this Part;
 - D) machinery and equipment and hand tools used to maintain, repair or operate machinery and equipment which qualifies for the manufacturing machinery and equipment exemption as set out in Section 130.330 of this Part;
 - E) materials and supplies, such as lubricants, coolants, adhesives, solvents or cleaning compounds used to maintain, repair or operate machinery or equipment which qualifies for the manufacturing machinery and equipment exemption as set out in Section 130.330 of this Part;
 - F) any fuel, such as coal, diesel oil, gasoline, natural gas, artificial gas or steam which would be subject to Retailers' Occupation Tax or Use Tax liability when sold at retail is exempt from those taxes when sold for use as fuel for machinery and equipment which qualifies for the manufacturing machinery and equipment exemption as set out in Section 130.330 of this Part; and

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- G) protective clothing and safety equipment such as gloves, coveralls, aprons, goggles, safety glasses, face masks and air filter masks used when maintaining, repairing or operating machinery and equipment which qualifies for the manufacturing machinery and equipment exemption as set out in Section 130.330 of this Part.
- 6) The law requires that tangible personal property be used primarily in manufacturing or assembling. Therefore, tangible personal property which is used primarily in an exempt process and partially in a nonexempt manner would qualify for exemption. However, the purchaser must be able to establish through adequate records that the tangible personal property is used over 50 percent in an exempt manner in order to claim the deduction.
- 7) The exemption does not extend to tangible personal property which is not used or consumed in the manufacturing or assembling process itself. This is true even though the item is used in an activity which is essential to manufacturing or assembling. For example, the exemption does not extend to:
- A) tangible personal property used or consumed in general production plant maintenance activities or in the maintenance of machinery and equipment which would not qualify for the manufacturing machinery and equipment exemption;
 - B) tangible personal property used or consumed in research and development of new products, production techniques or production machinery;
 - C) tangible personal property used to store, convey, handle or transport materials, parts or subassemblies prior to their entrance into the production cycle;
 - D) tangible personal property used to store, convey, handle or transport finished articles after completion of the production cycle;
 - E) tangible personal property used to transport work-in-process or finished articles between production plants;
 - F) tangible personal property used or consumed in managerial, sales or other nonproduction, nonoperational activities such as disposal of waste, scrap or residue, inventory control, production scheduling, work routing, purchasing, receiving, accounting, fiscal management, general communications, plant security, product exhibition and promotion or personnel recruitment, selection or training;
 - G) tangible personal property used or consumed as general production plant safety equipment;
 - H) tangible personal property and fuel used or consumed in general production plant ventilation, heating, cooling, climate control or illumination, not required by a manufacturing or assembling process;
 - I) tangible personal property used or consumed in the

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preparation of food and beverages by a retailer for retail sale, such as restaurants, vending machines and food service establishments;¹⁷

J) fuel used or consumed in the operation of any machinery or equipment which would not qualify for exemption under the manufacturing machinery and equipment exemption as set out in Section 130.330 of this Part;¹⁷

K) building materials which become physically incorporated into foundations or housings for machinery and equipment--although such building materials may qualify for exemption under the provisions of subsection (a) of this Section ~~Section-130-1951(a)-of-this-Part~~ if all requirements set out therein are met;¹⁷ and

L) building materials dedicated to general construction purposes at a production plant--although such building materials may qualify for exemption under the provisions of subsection (a) of this Section ~~Section-130-1951(a)-of-this-Part~~ if all requirements set out therein are met.

8) This exemption from Illinois Retailers' Occupation Tax is available to all retailers registered to collect Illinois sales tax. It is not restricted to retailers located in jurisdictions which have established enterprise zones.

9) Product Use

The statute requires that the product produced as a result of the manufacturing or assembling process be tangible personal property for sale or lease. For information concerning this requirement, see Section 130.330(e) of this Part which is incorporated by reference herein.

10) Sales to Lessors of Certified Business Enterprises

The substance and provisions of Section 130.330(f) of this Part are incorporated by reference herein. For the purpose of this incorporation, references in Section 130.330(f) to "manufacturers" mean "certified business enterprises".

11) Exemption Certification

A) When a certified business enterprise (or the lessor to a certified business enterprise) initially purchases qualifying items from an Illinois registered supplier, the supplier must be provided with:

i) a copy of the current certificate of eligibility issued by the Department of Commerce and Community Affairs;¹⁷ and

ii) a written statement signed by the certified business enterprise (or its lessor) that the items being purchased will be used or consumed (or leased for use or consumption) in a manufacturing or assembling process at a location in an enterprise zone established under the authority of the Illinois Enterprise Zone Act. (Sections 1d, 1e, 1f and 5k of

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the Act)

B) So long as a copy of a current certificate of eligibility and a statement of exemption are maintained by a supplier, the certified business enterprise (or its lessor) may claim the exemption on subsequent purchases from that supplier by indicating on the face of purchase orders that the transaction is exempt by referencing the certificate of eligibility and statement of exemption. This procedure on subsequent purchases is authorized only so long as the certificate of eligibility remains current. That is, the exemption can be claimed only as to purchases made during the effective period of the certificate of eligibility specified by the Department of Commerce and Community Affairs on the face of the certificate of eligibility.

C) If a certified business enterprise (or its lessor) purchases tangible personal property which is to be used in the process of manufacturing or assembling, then the certified business enterprise (or its lessor) must certify that fact to the seller in writing in order to relieve the seller of the duty of collecting and remitting tax. However, the purchaser who certifies that the item is being purchased for a qualifying use within an enterprise zone by a qualified business enterprise will be held liable for the tax by the Department if it is found that the item was not so used.

D) An item which initially is used primarily in a qualifying manner at a qualifying location but which is converted to a nonexempt use or is moved to a nonexempt location will become subject to tax at the time of its conversion based on the fair market value of the item at the time of conversion.

c) Tangible Personal Property Purchased for Use or Consumption within an Enterprise Zone in the Process of Graphic Arts Production by Certain Business Enterprises Certified by the Department of Commerce and Community Affairs

1) No State or local Retailers' Occupation Tax applies to retail sales of tangible personal property to be used or consumed within an enterprise zone. . . in the process of graphic arts production if used or consumed at a facility which is a Department of Commerce and Community Affairs certified business and located in a county of more than 4,000 persons and less than 45,000 persons so long as the use or consumption is made by business enterprises that:

A) Either:

(i) make investments which cause the creation of a minimum of 200 full-time jobs in Illinois; or

(ii) make investments which cause the retention of a minimum of 2,000 full-time jobs in Illinois; or

(iii) make investments of a minimum of \$40,000,000 and retain at least 90% of the jobs in place on the date

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on which the exemption is granted and for the duration of the exemption; and

- B) are located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act; and
- C) are certified by the Department of Commerce and Community Affairs as complying with the requirements specified in subsections (c)(1) through (A), (B) and (C). (Sections 1d and 1f of the Act)

- 2) Business enterprises seeking certificates of eligibility must make application to the Department of Commerce and Community Affairs on application forms provided by the Department of Commerce and Community Affairs. The Illinois Department of Revenue has no authority to certify business enterprises for the purposes of this exemption.

- 3) Once a business enterprise is certified, only the use or consumption within the enterprise zone of tangible personal property in graphic arts production qualifies for the exemption. No item to be used or consumed outside the Enterprise Zone qualifies for the exemption. Sales of tangible personal property used in activities which do not constitute graphic arts production remain subject to the tax. The Department has defined graphic arts production at Section 130.325(b) of this Part.

- 4) The tangible personal property must be used in a graphic arts production process but is not limited to machinery and equipment. The exemption is available for all tangible personal property used or consumed in graphic arts production and includes repair and replacement parts for machinery and equipment used primarily in the process of graphic arts production, and equipment, graphic arts fuels, material and supplies for the maintenance, repair or operation of such graphic arts machinery or equipment. (Section 1d of the Act)

- 5) For example, this exemption extends to:

- A) machinery and equipment that would otherwise qualify under the graphic arts machinery and equipment exemption because of being used in the activities set out at Section 130.325(c)(3) of this Part and for repair and replacement parts for such machinery and equipment;
- B) printing plates, film, fountain solution, blanket wash, and ink additives used in the activities set out at Section 130.325(c)(3) of this Part;
- C) materials and prep supplies, such as mylar, masking sheets, developer, hardener, fixer, replenishers, and tape used or consumed in the activities set out at Section 130.325(c)(3) of this Part;
- D) machinery and equipment and hand tools used to maintain, repair or operate machinery and equipment which qualifies for the graphic arts machinery and equipment exemption as set out in Section 130.325 of this Part;

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- E) materials and supplies, such as lubricants, coolants, adhesives, solvents or cleaning compounds used to maintain, repair or operate machinery or equipment which qualifies for the graphic arts machinery and equipment exemption as set out in Section 130.325 of this Part;

- F) any fuel, such as coal, diesel oil, gasoline, natural gas, artificial gas or steam which would be subject to Retailers' Occupation Tax or Use Tax liability when sold at retail is exempt from those taxes when sold for use as fuel for machinery and equipment which qualifies for the graphic arts machinery and equipment exemption as set out in Section 130.325 of this Part;

- G) protective clothing and safety equipment such as ear plugs, safety shoes, gloves, coveralls, aprons, goggles, safety glasses, face masks and air filter masks used when maintaining, repairing or operating machinery and equipment which qualifies for the graphic arts machinery and equipment exemption as set out in Section 130.325 of this Part.

- 6) The law requires that tangible personal property be used primarily in graphic arts production. Therefore, tangible personal property which is used primarily in an exempt process and partially in a nonexempt manner would qualify for exemption. However, the purchaser must be able to establish through adequate records that the tangible personal property is used over 50 percent in an exempt manner in order to claim the deduction.

- 7) The exemption does not extend to tangible personal property which is not used or consumed in the graphic arts production process itself. This is true even though the item is used in an activity which is essential to graphic arts production. For example, the exemption does not extend to:

- A) tangible personal property used or consumed in general production plant maintenance activities or in the maintenance of machinery and equipment which would not qualify for the graphic arts production exemption;
- B) tangible personal property used to store, convey, handle or transport materials prior to their entrance into the production cycle;
- C) tangible personal property used to store, convey, handle or transport finished articles after completion of the production cycle;
- D) tangible personal property used to transport work-in-process or finished articles between production plants;
- E) machinery or equipment used to place the printed product in the container, package or wrapping in which such property is normally sold to the ultimate consumer thereof;
- F) machinery and equipment used to gather information, photograph, transmit data, edit text, prepare drafts or copy or perform other data-related functions prior to final

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composition, typesetting, engraving or other preparation of the image carrier;¹⁷

G) Xerographic or photocopying machines;¹⁷

H) word processing, text editing machinery or computerized equipment unless it is an integral part of a final graphic arts operation such as a computer-controlled typesetting machine or equivalent that is used primarily in graphic arts production;¹⁷

I) computers used to store data and generate text, maps, graphs or other print-out formats unless the product is an image carrier to be used to repetitively transfer images by printing. For example, a computer which generates an image which may later be reproduced by a graphic arts process would not qualify while a computer-controlled engraving system which produces printing cylinders and computer-controlled digital typesetting equipment would qualify;¹⁷

J) tangible personal property used or consumed in managerial, sales or other nonproduction, nonoperational activities such as disposal of waste, scrap or residue, inventory control, production scheduling, work routing, purchasing, receiving, accounting, fiscal management, general communications, plant security, product exhibition and promotion or personnel recruitment, selection or training;¹⁷

K) tangible personal property used or consumed as general production plant safety equipment;¹⁷ or

L) tangible personal property and fuel used or consumed in general production plant ventilation, heating, cooling, climate control or illumination, not required by a graphic arts production process.

8) This exemption from Illinois Retailers' Occupation Tax is available to all retailers registered to collect Illinois sales tax. It is not restricted to retailers located in jurisdictions which have established enterprise zones.

9) Sales to Lessors of Certified Business Enterprises
The substance and provisions of Section 130.325(d) of this Part are incorporated by reference herein. For the purpose of this incorporation, references in Section 130.325 to "lessee" mean "certified business enterprises."

10) Exemption Certification

A) When a certified business enterprise (or the lessor to a certified business enterprise) initially purchases qualifying items from an Illinois registered supplier, the supplier must be provided with:

- i) a copy of the current certificate of eligibility issued by the Department of Commerce and Community Affairs;¹⁷ and
- ii) a written statement signed by the certified business

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enterprise (or its lessor) that the items being purchased will be used or consumed (or leased for use consumption) in a graphic arts production process at a location in an enterprise zone established under the authority of the Illinois Enterprise Zone Act. (Sections 1d, 1e, 1f and 5k of the Act)

B) So long as a copy of a current certificate of eligibility and a statement of exemption are maintained by a supplier, the certified business enterprise (or its lessor) may claim the exemption on subsequent purchases from that supplier by indicating on the face of purchase orders that the transaction is exempt by referencing the certificate of eligibility and statement of exemption. This procedure on subsequent purchases is authorized only so long as the certificate of eligibility remains current. That is, the exemption can be claimed only as to purchases made during the effective period of the certificate of eligibility specified by the Department of Commerce and Community Affairs on the face of the certificate of eligibility.

C) If a certified business enterprise (or its lessor) purchases tangible personal property which is to be used in the process of graphic arts production, then the certified business enterprise (or its lessor) must certify that fact to the seller in writing in order to relieve the seller of the duty of collecting and remitting tax. However, the purchaser who certifies that the item is being purchased for a qualifying use within an enterprise zone by a qualified business enterprise will be held liable for the tax by the Department if it is found that the item was not so used.

D) An item which initially is used primarily in a qualifying manner at a qualifying location but which is converted to a nonexempt use or is moved to a nonexempt location will become subject to tax at the time of its conversion based on the fair market value of the item at the time of conversion.

d) Tangible Personal Property Purchased for Use or Consumption in the Operation of Pollution Control Facilities within an Enterprise Zone by Certain Business Enterprises Certified by the Department of Commerce and Community Affairs

- 1) Effective September 25, 1985, subject to the provisions of Section 1f of the Act or subject to the provisions of Section 5.5 of the Illinois Enterprise Zone Act [20 ILCS 625/5.5] ~~the Illinois Retailers' Statute~~---1989,---ch--67-1/2---par--609-1 the Illinois Retailers' Occupation Tax does not apply to gross receipts from retail sales of tangible personal property to be used or consumed in the operation of pollution control facilities ... within an enterprise zone (Section 1e of the Act) so long as the use or consumption is made by a business enterprise which has complied with the requirements set out at subsection Section

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130-1951(b)(1)(A), (B) and (C) of this Section Part.

2) The phrase "pollution control facilities" is defined as:

- A) "... any system, method, construction, device, or appliance appurtenant thereto, sold or used or intended for the primary purpose of eliminating, preventing, or reducing air and water pollution as the term 'air pollution' or 'water pollution' is defined in the 'Environmental Protection Act', ... or for the primary purpose of treating, pretreating, modifying or disposing of any potential solid, liquid or gaseous pollutant which if released without such treatment, pretreatment, modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property." (Section 1a of the Act)

- B) The exemption for pollution control facilities described at Section 130-330 of this Part extends only to pollution control facilities and replacement parts therefor.

3) However, if a business enterprise is certified by the Department of Commerce and Community Affairs, all tangible personal property used or consumed by it in the operation of pollution control facilities within an enterprise zone is exempt from tax. In order to qualify, the item must be used exclusively in the enterprise zone and the pollution control facility must be in the enterprise zone. By way of illustration, this exemption includes:

- A) fuel used in operating pollution control facilities;
 B) chemicals used in the operation of pollution control facilities;
 C) catalysts used in the operation of pollution control facilities;
 D) equipment used to test, monitor or otherwise ascertain the suitability of a fuel, chemical or catalyst for use in the operation of pollution control facilities;
 E) equipment used to monitor or otherwise ascertain the effectiveness of pollution control facilities;
 F) lubricants and coolants used in the operation of pollution control facilities;
 G) protective clothing and safety equipment used in the operation of pollution control facilities;
 H) equipment used to transport fuel, chemicals, catalysts, lubricants, coolants or other operational supplies from a stock pile located in the enterprise zone to a pollution control facility located in the same enterprise zone;
 I) equipment used to transport filtered, treated or modified pollutants from a pollution control facility in an enterprise zone to another pollution control facility within the same enterprise zone for further filtering, treatment or modification; and
 J) equipment used to transport filtered, treated or modified

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pollutants from a pollution control facility in an enterprise zone to a disposal site in the same enterprise zone.

- 4) No item used primarily in any activity other than the operation of pollution control facilities within an enterprise zone can qualify for this exemption. No item used or consumed outside the enterprise zone can qualify for the exemption. No item used or consumed in the operation of pollution control facilities which are located outside the enterprise zone can qualify for the exemption. By way of illustration, the exemption does not extend to:

- A) equipment used to transport fuel, chemicals, catalysts or any other tangible personal property from a point outside the enterprise zone to a pollution control facility inside the enterprise zone;
 B) equipment used to transport filtered, treated or modified pollutants from a pollution control facility in an enterprise zone to any location outside the enterprise zone;
 C) testing equipment used at a location outside an enterprise zone to monitor or otherwise ascertain the effectiveness of pollution control facilities located in an enterprise zone;
 or
 D) testing equipment used at a location in an enterprise zone to monitor or otherwise ascertain the effectiveness of pollution control facilities located outside the enterprise zone.
 5) This exemption from Illinois Retailers' Occupation Tax is available to all retailers registered to collect Illinois sales tax. It is not restricted to retailers located in jurisdictions which have established enterprise zones.
 6) Sales to Lessors of Certified Business Enterprises
 A) For this exemption to apply, the purchaser need not himself employ the tangible personal property in the operation of pollution control facilities. If the purchaser leases the items to a lessee-certified business enterprise which uses the items in an exempt manner, the sale to the purchaser-lessee will be exempt from tax. A supplier may deduct such sales from his taxable gross receipts provided the purchaser-lessee provides to him a properly completed exemption certificate and the information contained thereon would support the exemption if the sale were made directly to the lessee-certified business enterprise.
 B) Should a purchaser-lessee lease the items to a lessee which is not a certified business enterprise or to a certified business enterprise which does not use those items in the operation of pollution control facilities within an enterprise zone, then the purchaser-lessee will become

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liable for the tax from which he was previously exempted.

7) Exemption Certification

A) When a certified business enterprise (or the lessor of a certified business enterprise) initially purchases qualifying items from an Illinois registered supplier, the supplier must be provided with:

i) a copy of the current certificate of eligibility issued by the Department of Commerce and Community Affairs;¹⁷ and

ii) a written statement of exemption signed by the certified business enterprise (or its lessor) that the items being purchased will be used or consumed (or leased for use of consumption) in the operation of pollution control facilities at a specified location in a named enterprise zone established under the authority of the Illinois Enterprise Zone Act.

B) So long as a copy of a current certificate of eligibility and a statement of exemption are maintained by a supplier, the certified business enterprise (or its lessor) may claim the exemption on subsequent purchases from that supplier by indicating on the face of purchase orders that the transaction is exempt by referencing the certificate of eligibility and statement of exemption. This procedure on subsequent purchases is authorized only so long as the certificate of eligibility remains current. That is, the exemption can be claimed only as to purchases made during the effective period of the certificate of eligibility specified by the Department of Commerce and Community Affairs on the face of the certificate of eligibility.

C) If a certified business enterprise (or its lessor) purchases tangible personal property which could reasonably be used in the operation of pollution control facilities, then the certified business enterprise (or its lessor) should certify to the seller in writing in order to relieve the seller of the duty of collecting and remitting tax on the sale. However, the purchaser who certifies that the item is being purchased for a qualifying use in an enterprise zone by a qualified business enterprise will be held liable for the tax by the Department if it is found that the item was not so used.

D) An item which is used primarily in a qualifying manner at a qualifying location but which is converted to a nonexempt use or is moved to a nonexempt location will become subject to tax at the time of its conversion based on the fair market value of the item at the time of conversion to the nonexempt use.

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Procedures of the Department of State Police Merit Board

2) Code Citation: 80 Ill. Adm. Code 150

3) Section Numbers: 150.210
Proposed Action: Amendment

4) Statutory Authority: 20 ILCS 2610/9

5) A Complete Description of the Subjects and Issues Involved: Section 150.210 - This rule change will establish the year 2000 as the target date to increase the education standard to a Bachelor's Degree.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: Not applicable

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after this issue of the *Illinois Register* to:

Mr. James E. Seiber, Executive Director
Department of State Police Merit Board
3180 Adloff Lane, Suite 100
Springfield, Illinois 62703
217 / 866-6240

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated at the time of the two most recent

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regulator, agendas.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

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SUBPART B: CERTIFICATION FOR APPOINTMENT

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Evidence Depositions
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Decisions of the Board
Service and Form of Papers

APPENDIX A Vision Standards
APPENDIX B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act [20 ILCS 2610/3 through 14].

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendments at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendment at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendment at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill.

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

Reg. 11007, effective July 15, 1991; amended at 16 Ill. Reg. 11835, effective July 13, 1992; emergency amendment at 16 Ill. Reg. 17372, effective October 29, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 9716, effective June 10, 1993; expedited correction at 17 Ill. Reg. 14684, effective June 10, 1993; amended at 17 Ill. Reg. 21079, effective November 22, 1993; amended at 19 Ill. Reg. 6679, effective May 1, 1995; amended at 19 Ill. Reg. 7970, effective June 1, 1995; amended at 20 Ill. Reg. 404, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 8082, effective June 4, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13663, effective October 3, 1996; amended at 20 Ill. Reg. 14640, effective October 25, 1996; amended at 21 Ill. Reg. _____, effective _____.

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section 150.210 Qualifications

a) The Board shall certify to the Director in writing qualified applicants for appointment as sworn officers to the Department. Qualified applicants shall:

- 1) Be at least twenty-one years of age. Persons twenty years of age may be certified if they have successfully completed 2 years (60 semester hours, 90 quarter hours) of law enforcement studies at an accredited college or university.
 - 2) Have completed, with an average grade of C or better, 60 semester hours, 90 quarter hours or any combination of semester/quarter hours totaling 2 years of education from an accredited college or university.
 - 3) Be a citizen of the United States with no felony convictions.
 - 4) Accept assignment anywhere in the State.
 - 5) Possess a valid driver's license at time of application.
 - 6) Successfully complete mental and physical and medical tests and a background investigation as prescribed by the Board. (See Section 150. Appendix A and B of this Part.)
- b) The Board may certify more applicants than there are vacant positions at the time of certification. Such certified applicants shall be eligible for appointment for a period of time designated by the Board.
- c) Effective in the year 2000, qualified applicants shall have completed, with a C average or better, a Bachelor's Degree from a college or university that has been accredited by one of the above listed accreditation associations.

(Source: Amended at 21 Ill. Reg. _____, effective _____.)

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 1975
- 3) Section Numbers: Adopted Action:
1975.230 Amendment
1975.240 Amendment
- 4) Statutory Authority: Implemented and authorized by the Illinois Housing Development Act [20 ILCS 3805].
- 5) Effective Date of Rulemaking: October 7, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 15, 1997
- 9) Notice of Proposal Published in Illinois Register: This is an internal rule and therefore does not need to be proposed.
- 10) Has JCAR issued a Statement of Objections to these rules? It is not necessary for internal rulemaking.
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? It is not necessary for an internal rule.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This proposed rulemaking amends the number of board members to reflect the current number of board members appointed by the Governor and the number of members needed for a quorum,
- 16) Information and questions regarding these adopted amendments shall be directed to:
Name: Richard B. Muller, Esq.
Address: 410 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Telephone: 312/836-5327

The full text of the Adopted Amendment begins on the next page:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION

SUBTITLE E: MISCELLANEOUS STATE AGENCIES

CHAPTER XX: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 1975

PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section

1975.10 Public Information and Submissions

SUBPART B: RULEMAKING

Section

1975.110 Applicability

1975.120 Adoption, Amendment and Repeal of Rules

1975.130 Compliance with the Illinois Administrative Procedure Act

SUBPART C: ORGANIZATION

Section

1975.210 Applicability

1975.220 Definitions

1975.230 Organization of the Authority

1975.240 Meetings of the Members

1975.250 By-Laws

AUTHORITY: Implementing and authorized by Sections 7.19 and 7.25 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.25].

SOURCE: Adopted at 5 Ill. Reg. 14583, effective prior to October 24, 1980 as corrected at 6 Ill. Reg. 620; codified at 7 Ill. Reg. 2433; amended at 8 Ill. Reg. 2996, effective February 28, 1984; amended at 9 Ill. Reg. 8631, effective May 29, 1985; emergency amendment at 9 Ill. Reg. 10086, effective June 13, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11296, effective July 5, 1985; amended at 9 Ill. Reg. 14675, effective September 13, 1985; amended at 9 Ill. Reg. 16848, effective October 21, 1985; amended at 11 Ill. Reg. 2795, effective January 27, 1987; amended at 21 Ill. Reg. 13818, effective October 7, 1997.

SUBPART C: ORGANIZATION

Section 1975.230 Organization of the Authority

Duties of the Members, Officers, and Staff of the Authority are governed by the Authority's By-Laws and the Act.

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF ADOPTED AMENDMENTS

- a) **Members.** The Authority is a body politic and corporate governed by nine ~~seven~~ Members, appointed by the Governor by and with the advice and consent of the Senate.
- b) **Chairman.** The Chairman, who is a Member and who is designated from time to time by the Governor, is the chief executive officer of the Authority.
- c) **Officers.** The Members annually elect from their membership a Vice Chairman, a Treasurer, and a Secretary. The Members may elect one or more Assistant Treasurers and Assistant Secretaries, who need not be Members.
- d) **Director.** The Director, who is appointed by the Members, is the chief administrative officer of the Authority. The Members may also appoint a Deputy Director.
- e) **Staff.** The Authority may from time to time employ persons as necessary for the effective transaction of Authority business. Under the By-Laws the Director may be empowered to employ the Staff.
- f) **Staff Organization.** The Director may, in his discretion, organize the Staff into such departments, divisions, or other administrative units as are necessary for the effective transaction of Authority business. Such units may, without limitation, include the following:

- 1) Legal Department
- 2) Production Department
- 3) Marketing and Management Department
- 4) Credit and Audit Services Department
- 5) Finance and Investments Department
- 6) Accounting Department
- 7) Department of Human Services

(Source: Amended at 21 Ill. Reg. 13818, effective October 7, 1997)

Section 1975.240 Meetings of the Members

Five ~~Four~~ Members constitute a quorum for the transaction of business at any meeting of the Members. The Members may act by unanimous written consent without a meeting, as provided in the Act and the By-Laws.

(Source: Amended at 21 Ill. Reg. 13818, effective October 7, 1997)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Pre-Licensing and Continuing Education

2) Code Citation: 50 Ill. Adm. Code 3119

3) Section Number: Adopted Action:

3119.30 Amended

3119.40 Repealed

3119.45 Amended

3119.60 Amended

4) Statutory Authority: Implementing Section 494.1 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/494.1 and 401 (1996)].

5) Effective Date of Amendments: October 15, 1997

6) Does this amendment contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date filed in Agency's Principal Office: October 15, 1997

9) Notice of Proposal Published in Illinois Register: May 30, 1997, 21 Ill. Reg. 6382

10) Has JCARE issued a Statement of Objections to this Rulemaking? No

11) Difference(s) between proposal and final version: Section 3119.45(b)(1) - On the eighth line change "four" to "three".

12) Have all changes agreed upon by the agency and JCARE been made as indicated in the agreement letter issued by JCARE? No agreement letter was issued.

13) Will this amendment replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of rulemaking: Department will require continuing education providers to report rosters of individuals who have successfully completed their education courses on computer diskette. Many providers are already voluntarily furnishing a diskette to the Department with the information now being required by this Part. For those providers who do not have the programming capability that will be necessary to comply with this Part, the Department intends to make available a formatted diskette which can be filled in by a "fill in the blank" process. The information transferred onto the diskette will be the same as if the provider was typing the information onto a paper roster.

In addition to the new electronic filing requirement, the Department will

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

also require producers to keep their own record of the courses they have completed. These records must include the name of the provider, the course title and the date of completion. The purpose of this requirement is to reduce the telephone calls to the Department asking for this type of information.

And finally, the type of course content that is allowed as credit for continuing education is being expanded to include management, customer service, and sales. With the increase in the number of insurance producers required to take continuing education and with the wide range of experience the producers have, the licensed insurance producers have asked for the types of courses available for continuing education to be expanded. The expansion of content areas should make the course requirement more meaningful to more producers.

The proposed changes have been reviewed by the PIRAI and the ILUA (professional producer associations) and both have agreed to the proposed changes.

16) Information and questions regarding this adopted amendment shall be directed to:

Bruce Cassens
Department of Insurance
320 West Washington
Springfield, Illinois 62767-0001
(217) 782-5415

The full text of the Adopted Amendments begins on the next page.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER II: INSURANCE PRODUCER, LIMITED INSURANCE REPRESENTATIVES AND REGISTERED FIRMS

PART 3119

PRE-LICENSING AND CONTINUING EDUCATION

- Section 3119.10 Purpose
- 3119.20 Definitions
- 3119.30 Provider Responsibilities
- 3119.40 Responsibilities of Applicant for Insurance Producer Licenses and Licensed Insurance Producers Until 1/1/97 (Repealed)
- 3119.45 Responsibilities of the Applicant for Insurance Producer Licenses and the Licensed Insurance Producers Beginning 1/1/97
- 3119.50 Pre-Licensing - Course of Study Requirements
- 3119.60 Continuing Education Requirements
- 3119.70 Course and Provider Disqualification
- 3119.80 Severability
- EXHIBIT A REQUEST FOR CERTIFICATION OF A PRE-LICENSING COURSE
- EXHIBIT B REQUEST FOR CERTIFICATION OF A CONTINUING EDUCATION COURSE
- EXHIBIT C PROVIDER LIST - PROOF OF COMPLETION FOR PRE-LICENSING EDUCATION
- EXHIBIT D PROVIDER LIST - PROOF OF COMPLETION FOR CONTINUING EDUCATION
- EXHIBIT E COURSE OF STUDY - LIFE
- EXHIBIT F COURSE OF STUDY - ACCIDENT/HEALTH
- EXHIBIT G COURSE OF STUDY - FIRE
- EXHIBIT H COURSE OF STUDY - CASUALTY/MOTOR VEHICLE

AUTHORITY: Implementing Section 494.1 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/494.1 and 401].

SOURCE: Adopted at 9 Ill. Reg. 80, effective January 1, 1985; amended at 15 Ill. Reg. 69, effective January 1, 1991; amended at 16 Ill. Reg. 126, effective January 1, 1992; amended at 18 Ill. Reg. 16568, effective November 1, 1994; amended at 20 Ill. Reg. 10340, effective July 19, 1996; amended at 21 Ill. Reg. 13822, effective OCT 1 1997.

Section 3119.30 Provider Responsibilities

- a) Each provider shall submit a certification form to the Director for each course it intends to offer for pre-licensing or continuing education credit. Certification must be on a form as prescribed by either Exhibit A or B of this Part, whichever is applicable.
- b) Each provider shall submit a new certification form when there is a significant change in the course.
- c) Each provider shall maintain a copy of all instructional materials for each course. If the provider ceases to offer a course or makes a

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

significant change in course materials, the provider shall maintain the original material for one year from the date such course was terminated or significantly changed.

- d) Each provider shall maintain the following records for three years at a central location:

1) Classroom or seminar - roster for each classroom course or seminar identifying the instructor(s), the student, the course, the location, the date and hours of attendance, the completion date, the examinations and the results of any examinations administered.

2) Self-study or interactive computer - name of student, name of course, date of completion, the examinations, the results of examinations, and other applicable proof of completion.

- e) Each provider shall provide to the Director a list of students who have successfully completed a pre-licensing or continuing education course. The list shall be in a format and contain the information as prescribed by the Director. The information shall be submitted to the Director on computer diskette or other electronic method of transfer prescribed by the Director and in the specifications established by the Director. ~~required by 3119-Exhibit-C or Exhibit-B-of-this-Part-~~ Each list shall be received by the Director within ten days following the end of the week in which the course was completed. The list shall be compiled pursuant to the criteria established in Section 3119.50(b) and (d) or Section 3119.60(d) of this Part.

- f) Instructors shall meet the following minimum requirements; either a Bachelor's degree or three years experience in the course subject matter. Providers must maintain evidence of such qualifications while the instructor is actively engaged in instructing the course and for one year thereafter.

- g) Providers shall, upon the request of the Director, provide a copy of all course material, provider records, and evidence of instructor's qualifications to the Director. All such requests shall be subject to a warrant of the Director and for the express purpose of gauging compliance with the Illinois Insurance Code and Departmental regulations pertaining thereto.

- h) The Director may make arrangements, including contracting with an outside service administrator, for the purpose of administering and collecting the educational data from the providers. Under such an arrangement all, or a portion of the reporting requirements of the provider shall be made to the servicing administrator.

(Source: Amended at 21 Ill. Reg. 13822, effective OCT 1 1997)

Section 3119.40 Responsibilities of Applicant for Insurance Producer Licenses and Licensed Insurance Producers Until 1/1/97 (Repealed)

a) Applicants-for-Insurance-Producer-licenses

DEPARTMENT OF INSURANCE

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~~Prior to taking the licensing examination each applicant shall complete the pre-licensing education requirements for each class of insurance for which an examination is being taken. The pre-licensing education course must be used within one year of completion.~~

b) ~~Licensed Insurance Producers~~

~~1) Each producer shall complete at least 25 hours of continuing education requirements prior to requesting an extension of an insurance producer license. The producer should complete the course no later than four weeks prior to the license extension date to allow time for the provider to submit proof of completion to the Director.~~

~~2) Hours taken, course material provided, or presented in whole or in part, or in conjunction with a pre-licensing course which is not certified as a pre-licensing education requirement shall not be used to meet continuing education requirements.~~

~~3) Courses initiated or completed prior to the original issue date of the license shall not be used to meet continuing education requirements.~~

~~4) Each producer may carry forward a maximum of 25 credit hours. To qualify for carry over credit the proof of completion must be received by the Department and the credit must be used prior to the second renewal date after completion of the course. The credit hours will be used in the order they are received by the Department.~~

~~5) Each producer shall maintain proof of credits for a period of 5 years after date of original issue.~~

(Source: Repealed at 21 Ill. Reg. 1302, effective 01/1/97)

Section 3119.45 Responsibilities of the Applicant for Insurance Producer Licenses and the Licensed Insurance Producers Beginning 1/1/97

a) Applicants for Insurance Producer Licenses

Prior to taking the licensing examination each applicant shall complete the pre-licensing education requirements for each class of insurance for which an examination is being taken. The pre-licensing education course must be used within one year after completion.

b) Licensed Insurance Producers

1) Each producer shall complete 15 hours of continuing education requirements prior to requesting an extension of an insurance producer license. The producer should complete the course no later than four weeks prior to the license extension date to allow time for the provider to submit proof of completion to the Director. Each producer shall maintain a record of each course completed for three years from the date of completion. The record shall include the name of the provider, the course title, and the date of completion.

DEPARTMENT OF INSURANCE

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2) Hours taken, course material provided, or presented in whole or in part, or in conjunction with a pre-licensing course which is not certified as pre-licensing education requirement shall not be used to meet continuing education requirements.

3) Courses initiated or completed prior to the original issue date of the license shall not be used to meet continuing education requirements.

4) The credit hours will be applied in the order they are received by the Department.

(Source: Amended at 21 Ill. Reg. 1302, effective 01/1/97)

Section 3119.60 Continuing Education Requirements

a) The certification form must be received by the Director at least 30 days prior to any course being offered.

b) For purposes of this Section, "full credit" shall mean the amount of time, as certified by the provider that is necessary for a student to study for and pass an examination, or in the case of a course with no examination, the number of documented classroom attendance hours.

c) Courses shall be intended to increase the knowledge and understanding of insurance principles and coverages, applicable laws, and insurance regulations, agency management, customer service and sales. Marketing, motivation, prospecting and psychology may be included if such material is incidental to and an integral part of the course. No be considered as incidental to the number of hours may not exceed 50% of the total number of hours devoted to acceptable basic course material. The following courses shall not be considered for continuing education:

1) Courses used for insurance pre-licensing training or insurance qualifying examination preparation.

2) Courses teaching general business, general accounting, management, communication, computer operation and other courses whose subject matter does not increase the knowledge of insurance principles and coverages, applicable laws, and insurance regulations.

3) Courses with less than three hours of certified continuing education credit.

d) The value of course credit for purposes of this Section shall be determined as follows:

1) Supervised Examinations

A) Successful Completion

Students who successfully complete a supervised examination will receive full credit for the course.

B) Unsuccessful Completion

Students who do not successfully complete a supervised examination shall receive one hour of credit for each hour

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

of documented classroom attendance not to exceed 50% of full credit.

- 2) Non-Supervised Examination
 - A) Successful Completion
Students who successfully complete a non-supervised examination will receive full credit for the course.
 - B) Unsuccessful Completion
Students who do not successfully complete a non-supervised examination will receive no credit.
- 3) Courses Without Examination
Students will receive credit for documented attendance based on the certified hours assigned to the course.
- 4) All Examinations
 - A) No students shall evaluate their own examination. The evaluation of the examination must be completed by the provider.
 - B) No provider shall furnish the answers to an examination prior to the student completing the examination.
 - C) Credit shall be given based only upon the results of the examination the first time the examination is completed by the student.

5) TLTC and LTCP Training Credit

- A) Continuing education credit may be earned based on the criteria established in this subsection (d) of this Section.
- B) Training credit may be obtained after a failed examination if the provider gives, and the student successfully completes, a substantially different examination.
- C) If a student receives training credit only, the provider shall issue a proof of completion certificate to the student but the certificate shall be prominently stamped "NO CON-ED CREDIT".

- e) No additional credit will be given to a producer for a repeated course unless three years have passed since credit was given for the course.
- f) Until January 1, 1997, the maximum credit a producer can receive for any one course is 25 hours.
- g) After December 31, 1996, the maximum credit for any course is 15 hours.
- h) Continuing education instructors may receive continuing education credit or courses they teach. The credit earned shall be determined pursuant to the criteria established in this Section.

(Source: Amended at 21 Ill. Reg. 19820, effective 01/1/1997)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Professional Geologist Licensing Act
- 2) Code Citation: 68 Ill. Adm. Code 1252
- 3) Section Numbers: Adopted Action:
 1252.10 New Section
 1252.20 New Section
 1252.30 New Section
 1252.40 New Section
 1252.50 New Section
 1252.60 New Section
 1252.70 New Section
 1252.80 New Section
 1252.90 New Section
 1252.100 New Section
 1252.110 New Section
 1252.120 New Section
- 4) Statutory Authority: Implementing the Professional Geologist Licensing Act [225 ILCS 745]
- 5) Effective Date of Rules: October 1, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Rules contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: October 1, 1997
- 9) Date Notice of Proposal Published in Illinois Register: May 2, 1997, at 21 Ill. Reg. 5398
- 10) Has JCAR issued a Statement of Objections to these Rules? No
- 11) Difference(s) between proposal and final version: Public Act 90-61 extended the grandfather period until July 1, 1998; these rules reflect this change. However, professional geologists must submit their applications no later than April 1, 1998 if they wish to continue actively practicing.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Rules replace Emergency Rules currently in effect? Yes
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Rules: Public Act 89-366, effective July 1,

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

1996, provides for the licensure of professional geologists by the Department of Professional Regulation.

16) Information and questions regarding this adopted part shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0813 Fax: 217/782-7645

The full text of the Adopted Rules begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER B: PROFESSIONS AND OCCUPATIONS

PART 1252

PROFESSIONAL GEOLOGIST LICENSING ACT

Section
1252.10
1252.20
1252.30
1252.40
1252.50
1252.60
1252.70
1252.80
1252.90
1252.100
1252.110
1252.120

Application for Licensure Without Examination (Grandfather)
Application for Examination/Licensure
Examination
Approved Programs of Geology
Experience
Endorsement
Renewal
Fees
Inactive Status
Restoration
Code of Professional Conduct and Ethics
Granting Variances

AUTHORITY: Implementing the Professional Geologist Licensing Act [225 ILCS 745] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rule creating Section 1252.10, 1252.40, 1252.50 and 1252.80 adopted at 21 Ill. Reg. 5647, effective April 22, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. ~~1319~~ **1329**, effective ~~4-1~~ **4-1**.

Section 1252.10 Application for Licensure Without Examination (Grandfather)

- a) Until July 1, 1998, an applicant meeting all the requirements for licensure under Section 50(a) of the Act and this Part may be issued a license under the grandfather provisions of Section 52 of the Act without taking and passing the examination. An applicant shall file an application, by April 1, 1998, on forms provided by the Department of Professional Regulation (the Department). The application shall include the following:

1) Education/Experience

- A) Official transcripts of a baccalaureate degree in geology, or graduate degree in the field of geology, indicating that the applicant has completed the coursework in accordance with Section 1252.40 of this Part and verification of a minimum of 4 years of professional experience as defined in Section 1252.50 of this Part. The experience must be obtained after completion of the education requirements specified in Section 50(a)(3) of the Act and Section 1252.40

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

of this Part.

- B) The Department may, upon recommendation of the Board of Licensing for Professional Geologists (Board), allow substitution of professional experience as a geologist for prescribed educational requirements. Appropriate experience shall include, but not be limited to a minimum of ten years professional experience (six years additional to that stated in subsection (a)(1)(B) above) may be substituted for 10 semester or 15 quarter hours of geology coursework. At least two of the ten years shall have been under the supervision of a licensed professional geologist, or, before July 1, 2000, a licensed professional geologist, or, before July 1, 2000, a complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;

- 2) A complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;
- 3) The required fee set forth in Section 1252.80 of this Part; and
- 4) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which he/she predominantly practices and is currently licensed, if applicable, stating:

A) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license; and

B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- b) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure may be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

- c) To continue practicing geology after the adoption of rules (October 1, 1997), individuals shall apply for licensure within 180 days after the effective date of the rules (April 1, 1998). If an application is received during the 180 day period, the individual may continue to practice until the Department acts to grant or deny licensure. If an application is not filed by April 1, 1998, the individual must cease the practice of geology on April 1, 1998 and until the Department acts to grant a license to the individual. [225 ILCS 745/25]

Section 1252.20 Application for Examination/Licensure

- a) An applicant for examination to obtain licensure as a professional geologist shall file an application, on forms provided by the

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Department, at least 90 days prior to the examination date. The application shall include the following:

- 1) Education/Experience
- A) Official transcripts of a baccalaureate degree in geology, or graduate degree in the field of geology, indicating that the applicant has completed the coursework in accordance with Section 1252.40 of this Part and verification of a minimum of 4 years of professional experience as defined in Section 1252.50 of this Part. The experience must be obtained after completion of the education requirements specified in Section 50(a)(3) of the Act and Section 1252.40 of this Part.

- B) The Department may, upon recommendation of the Board of Licensing for Professional Geologists (Board), allow substitution of professional experience as a geologist for prescribed educational requirements. Appropriate experience shall include, but not be limited to a minimum of ten years professional experience (six years additional to that stated in subsection (a)(1)(B) above) may be substituted for 10 semester or 15 quarter hours of geology coursework. At least two of the ten years shall have been under the supervision of a licensed professional geologist, or, before July 1, 2000, a licensed professional geologist or engineer;

- 2) A complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;

- 3) The required fee set forth in Section 1252.80 of this Part; and
- 4) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which he/she predominantly practices and is currently licensed, if applicable, stating:

A) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license; and

B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- b) All experience shall be completed prior to applying for licensure.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure may be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

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Section 1252.30 Examination

The examination for licensure as a professional geologist shall be an examination authorized by the Department which tests an applicant's qualifications to practice professional geology in Illinois.

Section 1252.40 Approved Programs of Geology

a) The Department shall, upon the recommendation of the Board, approve a geology program if it meets the criteria set forth in this Section and the institution:

- 1) Is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree;
 - 2) Has a faculty that consists of a sufficient number of full-time instructors to ensure educational obligations to the student are fulfilled.
- A) The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions.
- B) A program at the basic level shall have no fewer than three full-time faculty members whose primary commitment is to the geology program. If an institution relies on part-time faculty members, it shall demonstrate that, in addition to the commitment of at least three full-time equivalent faculty members, effective mechanisms are in place to provide adequate levels of student advising and faculty interaction, and faculty control over the curriculum;

3) Has a geology program director;

4) Has a curriculum with a minimum of 30 semester hours or 45 quarter hours, or the equivalent, of course credits in geology, of which 24 semester or 36 quarter hours are in upper level courses.

A) The geology curriculum shall be designed to teach fundamentals and principles and practices of geology, and shall be designed to train the student to engage in the practice of geology.

B) Geological courses. For the purposes of fulfilling the requirements of Section 50(a)(3) of the Act, the 24 semester or 36 quarter hours in the upper level courses shall be from the following subject areas:

Structural Geology	Geophysics
Mineralogy	Hydrogeology
Petrology	Engineering Geology
Geomorphology	Economic Geology
Paleontology	Environmental Geology
Terrain Analysis/Remote Sensing	Glacial Geology
	Field Geology

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Stratigraphy Geochemistry
Sedimentology

- b) In determining whether a school is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree, the Department shall take into consideration, but not be bound by, accreditation or approval by the Middle States Association of Colleges and Schools; the New England Association of Schools and Colleges; the North Central Association of Colleges and Schools; the Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools; the Western Association of Schools and Colleges; and the Department of Education in each of the Canadian Provinces.

Section 1252.50 Experience

- a) A minimum of 4 years of professional experience in the practice of geology or directly related work as defined in Section 15 of the Act is required for licensure under Section 50 of the Act.
- b) Beginning with persons making application for licensure on or after July 1, 2000, 2 years of professional experience must have been gained under the supervision of an Illinois licensed professional geologist or a geologist licensed in another jurisdiction having substantially equivalent licensure requirements as Illinois.
- c) All experience shall have been acquired after completion of education requirements set forth in Section 50(3) of the Act and Section 1252.40 of this Part. A minimum of 4 years of professional experience is defined as at least 1,800 hours a year for 4 years. No more than one year of credit will be given in a 12-month period.
- d) A maximum of one year experience may be credited to applicants possessing a graduate degree in geology.
- e) A maximum of one year experience may be credited to full-time faculty members who teach upper level courses in a geology program that meets the criteria in Section 1252.40.

Section 1252.60 Endorsement

- a) An applicant who is licensed/registered under the laws of another jurisdiction and who wishes to be licensed in Illinois as a professional geologist shall file an application with the Department, on forms provided by the Department, which includes:

- 1) Proof of Education and Experience
 - A) Official transcripts verifying conferral of a bachelor's degree from an accredited college or university approved by the Department in accordance with Section 1252.40 of this Part; and
 - B) Certification of a minimum of 4 years of professional experience or its equivalent as approved by the Department

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in accordance with Section 1252.50;

- 2) Certification of successful completion of the examination authorized by the Department in accordance with Section 1252.30 or its equivalent;
- 3) A complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;
- 4) The required fee set forth in Section 1252.80 of this Part; and
- 5) Certification, on forms provided by the Department, from the jurisdiction in which the applicant was originally licensed and the state in which the applicant predominantly practices and is currently registered/licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
 - B) A description of the examination in that jurisdiction; and
 - C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- b) A copy of the current Act and administrative rules from the jurisdiction where the applicant holds active licensure/registration may be requested by the Department or the Board to determine substantial equivalency.
- c) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure by endorsement shall be requested to:
 - 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

Section 1252.70 Renewal

- a) The first renewal period for licenses issued under the Act shall end March 31, 1999. Thereafter, every license issued under the Act shall expire on March 31 of odd-numbered years. The holder of a license may renew such license during the month preceding the expiration date by paying the fee required by Section 1252.80 of this Part.
- b) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.
- c) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 80 of the Act.

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Section 1252.80 Fees

The following fees shall be paid to the Department and are not refundable:

a) Application Fees

- 1) The fee for application for a license is \$250.
- 2) In addition applicants for examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

b) Renewal Fees

The fee for renewal of a license shall be calculated at the biennial rate of \$150.

c) General Fees

- 1) The fee for restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees, but not to exceed \$300.
- 2) The fee for the issuance of a duplicate or replacement license, for a license which has been lost or destroyed or for the issuance of a license with a change of name or address, other than during the renewal period is \$20. No fee is required for name and address changes on Department records when no corrected license is issued.
- 3) The fee for certification of a licensee's record for any purpose is \$20.
- 4) The fee for a wall certificate showing licensure is the actual cost of producing such a certificate.
- 5) The fee for a roster of persons licensed as professional geologists is the actual cost of producing such a roster.
- 6) The fee to have the scoring of an examination administered by the Department reviewed and verified is \$20.

Section 1252.90 Inactive Status

- a) Licensed geologists who notify the Department, on forms provided by the Department, may place their licenses on inactive status and shall be excused from paying renewal fees until they notify the Department in writing of the intention to resume active practice.
- b) Any licensed geologist seeking restoration from inactive status shall do so in accordance with Section 1252.100 of this Part.
- c) Any geologist whose license is on inactive status shall not practice in the State of Illinois. Any person violating this subsection shall be considered to be practicing without a license and shall be subject to the disciplinary provisions of the Act.

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Section 1252.100 Restoration

- a) Any professional geologist whose license has expired or been placed on inactive status for 5 years or less may have the license restored by paying the fees required by Section 1252.80 of this Part.
- b) Any person seeking restoration of a license that has been expired or placed on inactive status for more than 5 years shall file an application, on forms provided by the Department, for review by the Board, together with the fee required by Section 1252.80. The applicant shall also submit either:
 - 1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from an appropriate board or licensing authority in the other jurisdiction that the licensee/registrant was authorized to practice during the term of active practice; or
 - 2) An affidavit attesting to military service as provided in Section 65 of the Act; or
 - 3) Proof of passage of the Professional Geologist Examination during the period the license was lapsed; or
 - 4) Other evidence of continued competence in geology. Other evidence shall include, but not be limited to:
 - A) Employment in a responsible capacity by a licensed professional geologist as determined by the Board;
 - B) Lawfully practicing geology as an employee of a governmental agency;
 - C) Teaching geology in a college or university; or
 - D) Attendance at educational programs in geology.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the registrant seeking restoration shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
- d) Upon the recommendation of the Board and approval of the Director, an applicant shall have the registration restored or be notified in writing of the reason for denying the application.

Section 1252.110 Code of Professional Conduct and Ethics

- a) Geology is a profession the practice of which requires scientific knowledge, professional experience and judgement and personal responsibility. Each licensed professional geologist shall be guided by the highest standards of business ethics, honesty, integrity, personal honor and professional conduct in order to safeguard life,

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health and property, and to promote the public welfare. The Code of Professional Conduct and Ethics shall be binding upon every person holding licensure as a professional geologist in the State of Illinois. Each licensed professional geologist shall:

- 1) Protect to the fullest extent the public welfare and safety;
- 2) Not act in any manner that will tend to bring discredit to the honor and dignity of his/her profession;
- 3) Not undertake any type of work with which he/she is not competent unless he/she makes full disclosure of his/her lack of training and/or experience to the appropriate parties prior to undertaking the work;
- 4) Not act for his/her client or employer other than as a faithful agent or trustee and shall protect to the fullest the interest of his/her employer and/or client so far as is consistent with the law and his/her professional obligations and ethics;
- 5) Not use undue influence or offer commissions or otherwise solicit professional work improperly;
- 6) Not voluntarily disclose information concerning the lawful business affairs or technical processes of a client or employer without his/her consent, provided that this subsection (a)(6) does not operate to the detriment of public safety;
- 7) Not express an opinion that is not founded upon knowledge and honest conviction nor yield to undue and improper pressure;
- 8) Avoid misrepresentations of his/her professional credentials and avoid false or misleading claims of his/her capabilities;
- 9) Freely give credit for work done by others to whom credit is due and will refrain from plagiarism in oral and written communications, and not knowingly accept credit rightfully due another geologist; and
- 10) Not review the public geologic work of another geologist for the same client, except with the knowledge of the other geologist, or unless the connection of the other geologist with the work has been terminated.
- b) It shall be the duty and professional responsibility of every licensed geologist to uphold these standards or ethics and to encourage other geologists by example and counsel to adhere to this Code. A licensed geologist found by the Board to be in violation of this Code of Professional Conduct may be subject to discipline.

Section 1252.120 Granting Variances

- a) The Director of the Department may grant variances from these rules in individual cases when he/she finds that:
 - 1) The provision from which the variance is granted is not statutorily mandated;
 - 2) No party will be injured by the granting of the variance; and
 - 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

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- b) The Director shall notify the Board of the granting of such variance, and the reasons therefor, at the next meeting of the Board.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: The Professional Engineering Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1380
- 3) Section Numbers: Adopted Action:
1380.290 Amendment
- 4) Statutory Authority: The Professional Engineering Practice Act of 1989 [225 ILCS 325].
- 5) Effective Date of Amendments: October 1, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: October 1, 1997
- 9) Date Notice of Proposal Published in Illinois Register: May 16, 1997, at 21 Ill. Reg. 6027.
- 10) Has JCARE issued a Statement of Objections to these Rules? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the Agency and JCARE been made as indicated in the agreement letter issued by JCARE? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect?
No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: These adopted rules provide for the registration of professional design firms and sole proprietorships who operate under an assumed name.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1380

THE PROFESSIONAL ENGINEERING PRACTICE ACT OF 1989

Section	
1380.210	Approved Engineering Program
1380.220	Definition of Degree in Basic Engineering or Related Science
1380.230	Approved Experience
1380.240	Application for Enrollment as an Engineer Intern by Examination
1380.250	Application for Licensure as a Professional Engineer by Examination
1380.260	Examination
1380.270	Restoration
1380.280	Endorsement
1380.285	Inactive Status
1380.290	Professional Design Firm Corporations-and-Partnerships
1380.300	Standards of Professional Conduct
1380.305	Professional Engineer Complaint Committee
1380.310	Renewals
1380.320	Granting Variances

APPENDIX A Significant Dates for the Administration of Section 19 of the Act - Endorsement

AUTHORITY: Implementing the Professional Engineering Practice Act of 1989 [225 ILCS 325] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Professional Engineering Act, effective March 10, 1976; codified at 5 Ill. Reg. 11055; codified and amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; part repealed at 9 Ill. Reg. 10038, effective June 18, 1985; new Part adopted at 9 Ill. Reg. 10040, effective June 18, 1985; amended at 10 Ill. Reg. 19507, effective November 5, 1986; amended at 11 Ill. Reg. 8767, effective April 20, 1987; recodified from Chapter I, 68 Ill. Adm. Code 380 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1380 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2942; amended at 14 Ill. Reg. 247, effective December 28, 1990; amended at 15 Ill. Reg. 17729, effective November 26, 1991; amended at 16 Ill. Reg. 15553, effective September 28, 1992; amended at 18 Ill. Reg. 14737, effective September 19, 1994; amended at 19 Ill. Reg. 16076, effective November 17, 1995; amended at 20 Ill. Reg. 6477, effective April 25, 1996; amended at 21 Ill. Reg. 13834, effective 06/1/1997.

Section 1380.290 Professional Design Firm Corporations-and-Partnerships

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a) Persons who desire to practice professional engineering in this State in the form of a partnership, limited liability company, or corporation (if the form is a corporation and such corporation was not formed under the Professional Service Corporation Act [805 ILCS 101] (iii--Rev--Stat--1989--ch--32--par--415-17--et--seq--)) or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) shall, in accordance with Section 23 of the Act, file an application with the Department, on forms provided by the Department, together with the following:

- 1) For Corporations.
 - A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is licensed as a professional engineer, 7--and
 - B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the Corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. The purpose clause of the Articles of Incorporation shall designate that the purpose of the corporation is to provide engineering services. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State issued by the Secretary of State is also required. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain a professional design firm registration.

C) A certified copy of the resolution of the board of directors of the corporation designating a regular full-time employee engineer as the managing agent in charge of the engineering activities in Illinois.

2) For Partnerships.

A) An application containing the name of the partnership and its business address and the names of all general partners, with the name of the state in which each is licensed as a professional engineer and the license number of each general partner.

B) 3) A certified copy of the resolution of the board--of directors--of--the--corporation--or--of the general partners--as the case may be, designating a regular full-time employee of the member--of--the--board--or--a--member--of--the partnership who is an Illinois licensed professional engineer as the managing agent in charge of the engineering activities in this State and vesting in such managing agent--full--authority to--make--all--final--decisions--involving--engineering--work within--Illinois.

3) For Limited Liability Companies.

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- A) An application containing the name of the limited liability company, the business address and the members of the company, the name of the state in which each is licensed as a professional engineer and the license number of each member.
- B) A certified copy of the articles of organization or operating agreement designating a regular full-time employee of the company who is an Illinois licensed professional engineer as the managing agent in charge of the engineering activities in this State.
- 4) For Sole Proprietorships. An application containing the name of the sole proprietorship and its business address and the name and license number of the professional engineer who owns and operates the business.
- 5) A list of all office locations at which the corporation, limited liability company, or partnership or sole proprietorship provides engineering services.
- 6) A list of all assumed names used by the corporation, limited liability company, partnership or sole proprietorship.
- 7) The fee required in Section 20 of the Act.
- b) Upon receipt of the above documents and review of the application, the Department shall issue a license authorizing the corporation, limited liability company, or partnership or sole proprietorship to engage in the practice of professional engineering or notify the applicant of the reason for the denial of the such application.
- c) Each corporation, limited liability company or partnership shall be responsible for notifying the Department within 30 days of any changes in:
- 1) The membership of the board of directors, member of the limited liability company or the general partners; and
 - 2) The licensure status of the general partners, members of the limited liability company or any of the licensed professional engineer members of the board of directors
- d) Each corporation, limited liability company or partnership shall be responsible for notifying the Department, in writing, by certified mail, within 10 business days of the termination or change in status of the managing agent. Thereafter, the corporation, limited liability company or partnership, if it has so informed the Department, has 30 days to notify the Department of the name and license number of the professional engineer licensed in Illinois who is the newly designated managing agent ~~as provided in subsection (a)(3)-above~~.
- e) Any failure to notify the Department as required in subsections (c) and (d) above or any failure of the corporation, limited liability company or partnership to continue to comply with the requirements of Section 23 of the Act will subject the corporation, limited liability company or partnership to the loss of its license to practice professional engineering in Illinois.
- f) Sole Proprietorships. A sole proprietorship who is conducting or

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transacting business under the real name of the professional engineer who has an active Illinois license will not be required to file an application and comply with the requirements set forth in this Section. However, if the sole proprietorship operates under an assumed name, the sole proprietor shall file an application with the Department indicating all assumed names utilized. A sole proprietorship shall notify the Department of any assumed name changes.

- g) In addition to the seal requirements in Section 12 of the Act, all documents or technical submissions prepared by the design firm shall contain the design firm registration number issued by the Department.

(Source: Amended at 21 Ill. Reg. 13036, effective Oct 1999)

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NOTICE OF ADOPTED AMENDMENT(S)

1) Heading of the Part: The Structural Engineering Licensing Act of 1989

2) Code Citation: 68 Ill. Adm. Code 1480

3) Section Numbers: Adopted Action:

1480.130 Amendment

1480.135 New Section

1480.140 Amendment

1480.170 Amendment

1480.200 Amendment

4) Statutory Authority: The Structural Engineering Licensing Act of 1989
[225 ILCS 340]

5) Effective Date of Amendments: October 1, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: October 1, 1997

9) Date Notice of Proposal Published in Illinois Register: May 23, 1997, at
21 Ill. Reg. 6170

10) Has JCAR issued a Statement of Objections to these Rules? No

11) Difference(s) between proposal and final version: Credit is being given for cooperative work experience in a cooperative education program, but it has been clarified that the maximum of one year experience must be actual work experience, verified by the supervising engineer. Style, organization, grammar and spelling changes requested by JCAR also made.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect?
No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments: Section 9 of the Act authorizes the Department to require a foreign-educated applicant to have his/her education credentials evaluated by a nationally recognized body; these rules implement this provision. They also provide for the registration of professional design firms and sole proprietorships who operate under an assumed name.

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16) Information and questions regarding these Adopted Amendments shall be directed to:

Department of Professional Regulation

Attention: Jean Courtney

320 West Washington, 3rd Floor

Springfield, IL 62786

217/785-0813 Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1480

THE STRUCTURAL ENGINEERING LICENSING ACT OF 1989

Section	Statutory Authority (Repealed)
1480.10	Licensure (Repealed)
1480.20	Approved Education Qualifications (Repealed)
1480.30	Approved Experience Qualifications (Repealed)
1480.40	Renewals (Renumbered)
1480.45	Restoration of Expired Certificate (Repealed)
1480.50	Granting Variances (Renumbered)
1480.60	Approved Structural Engineering Curriculum
1480.110	Definition of Degree in Related Science
1480.120	Approved Experience
1480.130	Application for Enrollment as a Structural Engineer Intern by Examination
1480.135	Application for Licensure by Examination
1480.140	Examination
1480.150	Restoration
1480.160	Endorsement
1480.170	Inactive Status
1480.180	Renewals
1480.190	Professional Design Firm Corporations-and-Partnerships
1480.200	Standards of Professional Conduct
1480.210	Structural Engineer Complaint Committee
1480.215	Granting Variances (Renumbered)
1480.220	

AUTHORITY: Implementing the Structural Engineering Licensing Act of 1989 [225 ILCS 340] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 4 Ill. Reg. 22, p. 242, effective May 15, 1980; amended at 4 Ill. Reg. 44, p. 475, effective October 20, 1980; codified at 5 Ill. Reg. 11068; codified and amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; transferred from Chapter I, 68 Ill. Adm. Code 480 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1480 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2947; emergency amendment at 13 Ill. Reg. 5781, effective April 5, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 13891, effective August 22, 1989; amended at 15 Ill. Reg. 7081, effective April 29, 1991; amended at 17 Ill. Reg. 11162, effective July 1, 1993; amended at 18 Ill. Reg. 14751, effective September 19, 1994; amended at 19 Ill. Reg. 2309, effective

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February 14, 1995; amended at 19 Ill. Reg. 16081, effective November 17, 1995; amended at 21 Ill. Reg. 13844, effective 06/14/96.

Section 1480.130 Approved Experience

- a) Every ~~Each--individual~~ application shall be reviewed by the Board to determine whether the applicant's experience ~~required--for--licensure~~ meets the requirements described in this Section. Approved experience shall have been acquired after receipt of the baccalaureate degree.
- 1) Credit for 1 one year of experience shall be given for completion of graduate study resulting in a master's or doctor's degree in structural engineering. The course of study shall include a minimum of ~~at least~~ 8 semester hours, or their equivalent (e.g., 12 quarter hours), of structural analysis, behavior or design courses.
 - 2) The maximum credit for graduate study shall be 1 one year.
 - 3) Credit for structural engineering experience shall be given for a graduate of a university certified cooperative program that is a supervised industrial or field experience of at least one calendar year which alternates with periods of full-time academic training. Such supervision shall be by a U.S. licensed engineer legally practicing structural engineering.
 - A) A maximum of one year of experience credit may be given for one year or more of actual work experience acquired through participation in a university cooperative program.
 - B) Applicants claiming credit for participation in the university cooperative program shall submit an official transcript from the university reflecting the university credit for completion of the program; and
 - C) All experience shall be structural engineering experience and must be verified, on forms provided by the Department, by the supervising engineer.
 - 4) 3 Credit for all required experience or any remaining experience as set forth in Section 1480.140 shall be given for actual experience in the practice of structural engineering under the employ or immediate supervision of a U.S. licensed engineer legally practicing structural engineering. Such experience shall require the application of technical knowledge and structural engineering principles.
 - 5) 4 Each applicant shall submit evidence of at least 2 years of engineering experience in a position of responsible charge while in the employ of or under the immediate personal supervision of a U.S. licensed engineer legally practicing structural engineering. In this category the applicant shall have directed the work, with responsibility for the successful accomplishment of the work, including demonstrated capability of making independent technical decisions to fulfill a structural engineering duty and being accountable for the performance of those duties.

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6)5) Credit for a maximum of 3 years of the experience required for licensure shall be given for the full-time teaching of upper division junior/senior courses or graduate courses in structural engineering as a part of, or in conjunction with, an approved engineering curriculum as set forth in Section 1480.110. An academic year of full-time teaching (2 semesters, or 3 quarters) at a level of assistant professor, or higher, shall be considered equivalent to 6 months of the experience required for licensure. This teaching experience shall be fully documented, and certified by an affidavit from the department chairman, or dean, of the engineering curriculum involved. Applicants qualifying under this subsection are exempt from the requirement of subsection (a)(5) of this Section 4.

b) While an applicant may receive either experience credit, education credit, teaching credit, or a combination of these, such applicant shall not receive more than 1 one year's total credit for any 1 one year (i.e., overlapping experience, education or teaching shall be credited to only 1 one category).

(Source: Amended at 21 Ill. Reg. 13641, effective 11/1/81)

Section 1480.135 Application for Enrollment as a Structural Engineer Intern by Examination

a) An applicant for enrollment as an Structural Engineer Intern shall file an application on forms supplied by the Department by November 15 for the spring examination or by May 15 for the fall examination. The application shall include:

- 1) Either:
 - A) A degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110. Official college transcript showing all coursework completed and conferral of a baccalaureate degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110; or
 - B) A degree in a related science as set forth in Section 1480.120. Official college transcript showing all coursework completed and conferral of a bachelor of science degree in a related science; and completed experience verification form(s), indicating the required 4 years of approved experience.

2) The required fee specified in Section 17 of the Act;

3) For an applicant claiming credit for participation in a cooperative program, as described in Section 1480.130(a)(3), certification of such participation with a brief description of the program, from the university and verification of supervision;

4) A complete work history indicating all employment since receipt

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5) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a score 550 and the Test of Spoken English (TSE) with a score of 50, for applicants who apply after January 1, 1997, who graduated from an engineering program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the engineering program from which the applicant graduated was taught in English.

6) An applicant shall have acquired the experience required by this Section after conferral of the degree and prior to applying to the Department.

7) Applicants who received their education in a foreign country shall have the education evaluated at their expense. Applicants shall obtain the forms from the National Council of Examiners for Engineers (NCEES), P.O. Box 1646, Clemson, South Carolina 29633-1686. The Board will review all transcripts and the evaluation submitted to the Department to determine if the education meets the requirements set forth in this Section and Section 1270.15.

b) Upon receipt of the application and all supporting documentation in complete order:

- 1) Persons with degrees from an engineering program that has been reviewed and approved by the Board will be reviewed by the Board and notified of their eligibility to register for the Fundamentals of Engineering Examination.
- 2) The files of persons with degrees in basic engineering or related science will be presented to the Board for evaluation of the required education and experience based on the criteria specified in Sections 1480.110 and 1480.130. Once the applications have been approved, those persons will be notified of their eligibility to register for the Fundamentals of Engineering Examination, the examination filing deadline and the required examination fee as provided for in Section 17 of the Act.

c) The Fundamentals of Engineering Examination will be waived for individuals who have taken and passed the Fundamentals of Engineering Examination for licensure as an Engineer Intern or Professional Engineer.

(Source: Added at 21 Ill. Reg. 13641, effective 11/1/81)

Section 1480.140 Application for Licensure by Examination

An applicant for licensure by examination shall file an application--on--forms provided--by--the--Department--by November--15--for--the--spring--examination--or--by May--15--for--the--fall--examination--The application shall include the following:

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- a) Applicant enrolled as a Structural Engineer Intern or Engineer Intern
- 1) An applicant shall have acquired all experience required by Section 1480.130 prior to making application to the Department.
 - 2) An applicant for licensure as a structural engineer who is enrolled as a Structural Engineer Intern or Engineer Intern shall file an application on forms supplied by the Department by November 15 for the spring examination or by May 15 for the fall examination. The application shall include, in addition to the requirements of Section 9 of the Act, the following:
 - A) Experience verification form(s) completed by the supervisor, indicating the required 4 years of experience earned. For Engineer Interns enrolled with a degree in a related science, experience verification form(s) shall be completed for the entire 8 years of required experience as set forth in Section 1480.130.
 - B) For persons who were certified or enrolled as an Engineer Intern or Engineer-in-training in Illinois or another state or territory:
 - i) A certification of such enrollment from the appropriate state board, including the date of the examination; and
 - ii) Official college transcripts showing coursework completed and degree received.
 - C) The required fee specified in Section 17 of the Act.
 - D) For an applicant claiming credit for participation in a cooperative program, as described in Section 1480.130(a)(3), certification of such participation with a brief description of the program, from the university and verification of supervision.
 - E) A complete work history indicating all employment since receipt of a baccalaureate degree and verification of supervision.

- b) Applicant not enrolled as a Structural Engineer Intern or an Engineer Intern

- 1) An applicant shall have acquired all experience as required in Section 1480.130 prior to making application to the Department.
- 2) An applicant for registration as a structural engineer who is not enrolled or certified as a Structural Engineer Intern shall file an application on forms supplied by the Department by November 15 for the spring examination or by May 15 for the fall examination. The application shall include, in addition to the requirements of Section 9 of the Act, the following:
 - A) Verification of experience indicating the approved experience as set forth in Section 1480.130 of this Part;
 - B) Certification of education of one of the following:
 - i) A degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110. An official transcript of educational

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- credit ~~Completed--college--certification--form~~ showing receipt of a baccalaureate ~~bachelor-of-science~~ degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110; an official transcript of educational credit; and completed experience certification form(s) indicating the required 4 years of approved experience, except as provided in subsection (c) of this Section; ~~or~~
- ii) A degree in a related science as set forth in Section 1480.120. An official transcript of educational credit ~~Completed--college--certification--form~~ showing receipt of a bachelor of science degree in a related science; an official transcript of educational credit; and completed experience certification form(s), indicating the required 8 years of approved experience;
- C) A complete work history, on forms provided by the Department, indicating all employment since receipt of a baccalaureate degree; and
 - D) The required fee specified in Section 17 of the Act.
- c) If an ~~such~~ applicant has ever been licensed in another jurisdiction, certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed, including the following:
 - 1) The date of issuance of the applicant's license and the current status of such license;
 - 2) The basis of licensure and a description of the examination by which the applicant was licensed, if any; and
 - 3) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending against the applicant.
- d) Applicants who received their education in a foreign country shall have the education evaluated at their expense. Applicants shall obtain the forms from the National Council of Examiners for Engineer (NCEES), P.O. Box 1646, Clemson, South Carolina 29633-1686. The Board will review all transcripts and the evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1480.110 and 1480.120.
- e) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 and the Test of Spoken English (TSE) with a score of 50, for applicants who apply after January 1, 1997, who graduated from a structural engineering, architecture or related science program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the structural engineering, architecture or related science program from which the applicant graduated was taught in English.

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- f) Upon receipt of the application and all supporting documentation in complete order, the applicant's file will be presented to the Board for evaluation of the required education and experience as specified in Section 1480.110 and 1480.130. Once the application has been approved, those persons will be notified of their eligibility to register for the Fundamentals of Engineering, Structural I and Structural II examinations, the examination filing deadline and the required examination fee as provided for in Section 17 of the Act.
- d) ~~A complete work history, on forms provided by the Department, indicating all employment since receipt of a baccalaureate degree, and the required fee specified in Section 17 of the Act.~~

(Source: Amended at 21 Ill. Reg. 13643, effective 4/1)

Section 1480.170 Endorsement

- a) Any person who holds an unexpired certificate of registration or license to practice structural engineering, issued under the laws of another state or territory and who desires to become licensed by endorsement shall file an application, on forms provided by the Department, together with:

- 1) Proof of meeting requirements substantially equivalent to those in force in this State state at the time of original or subsequent licensure by examination in the other jurisdiction (i.e., a separate written 16 hour structural engineering examination and the Fundamentals of Engineering examination), including certification of education, and verification of experience;
- 2) A certification by the jurisdiction of original licensure and certification from the jurisdiction of predominant active practice including the following:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
 - B) The basis of licensure and a description of all examinations by which the applicant was licensed in that jurisdiction and the date of passage of any such examinations; and
 - C) Whether the records of the licensing authority contain any disciplinary action taken or pending against the applicant;
- 3) If the qualifications of the applicant at the time of original licensure did not meet the requirements for licensure in this State state at that time, the applicant may submit additional certifications of other jurisdictions to indicate meeting the qualifications in effect in this State state at the time of any later licensure;
- 4) A complete work history, on forms provided by the Department, indicating all employment since receipt of the baccalaureate

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degree; and

- 5) The required fee set forth in Section 17(3) of the Act;
- 6) Applicants who received their education in a foreign country shall have the education evaluated at their expense. Applicants shall obtain the forms from the National Council of Examiners for Engineers (NCEES), P.O. Box 1646, Clemson, South Carolina 29633-1686. The Board will review all transcripts and the evaluation submitted to the Department to determine if the education meets the requirements set forth in Section 1480.110 and 1480.120; and
- 7) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 and the Test of Spoken English (TSE) with a score of 50, for applicants who apply after January 1, 1997, who graduated from a structural engineering, architecture or related science program outside the United States or its territories and whose first language is not English. In order to determine whose first language is English, the applicant shall submit verification from the school that the structural engineering, architecture or related science program from which the applicant graduated was taught in English.
- b) The Department may, in individual cases, upon the recommendation of the Board, waive a portion of the examination requirements after consideration of the quality of an applicant's engineering education and experience, including whether he has graduated from an approved engineering curriculum, has achieved special honors or awards, has had numerous articles published in professional journals, has participated in the writing of textbooks relating to structural engineering, and any other attribute which the Board accepts as evidence that such applicant has outstanding and proven ability in the practice of structural engineering.
- c) In order to provide background in structural engineering experience, an applicant licensed as a structural engineer in another state or territory, and who has met all previously stated requirements may be requested to appear before the Board for an oral interview at which questions will be asked to determine the applicant's qualifications and knowledge of structural engineering (i.e., see Section 1480.160(c)(4)(B)). Specifically, questions may explore the applicant's knowledge concerning the design of concrete, structural steel, timber, masonry and foundations and also analysis procedures, design codes, materials and recommended practices for design and construction.
- d) The Department shall examine each endorsement application to determine whether the qualifications of the applicant at the time of original or subsequent licensure were substantially equivalent to the requirements then in force in this State state. After review of the application the Department shall either issue a license by endorsement to the applicant or notify such applicant of the reasons for the denial of the application. An applicant not qualified for licensure by

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endorsement shall automatically be reviewed under the provisions of Section 1480.140.

(Source: Amended at 21 Ill. Reg. 1384, effective 01-1-1997)

Section 1480.200 Professional Design Firm Corporations-and-Partners

a) Persons who desire to practice structural engineering in this State in the form of a partnership, limited liability company, or corporation (if the form is a corporation and such corporation was not formed under the Professional Service Corporation Act [805 ILCS 10]) or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) ~~shall~~ shall ~~Rev. Stat. 1989, ch. 92, par. 415-17-et-seq.~~ shall, in accordance with Section 19 of the Act, file an application with the Department on forms provided by the Department, together with the following:

- 1) For Corporations.
 - A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is licensed as a structural engineer.
 - B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. The purpose clause of the Articles of Incorporation shall designate that the purpose of the corporation is to provide engineering services. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State issued by the Secretary of State is also required. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain professional design firm registration.
 - C) A certified copy of the resolution of the board of directors of the corporation designating a regular full-time employee of the corporation who is an Illinois licensed structural engineer as the managing agent in charge of the structural engineering activities in Illinois.
- 2) For Partnerships Partnerships.
 - A) An application containing the name of the partnership and its business address and the names of all general partners, with the name of the state in which each is licensed as a structural engineer or professional engineer and the license number of each general partner.
 - B) A certified copy of the resolution adopted by the general partners designating a regular full-time employee of the

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partnership who is an Illinois licensed structural engineer as the managing agent in charge of the structural engineering activities in this State.

- 3) For Limited Liability Companies.
 - A) An application containing the name of the limited liability company, the business address and the members of the company, the name of the state in which each is licensed as a structural engineer and the license number of each member.
 - B) A certified copy of the articles of organization or operating agreement designating a regular full-time employee of the company who is an Illinois licensed structural engineer as the managing agent in charge of the structural engineering activities in this State.
- 4) For Sole Proprietorships. An application containing the name of the sole proprietorship and its business address and the name and license number of the structural engineer who owns and operates the business.
 - 3) ~~A certified copy of the resolution of the board of directors of the corporation or of the general partners, as the case may be, designating a member of the board or a member of the partnership who is an Illinois licensed structural engineer as the managing agent in charge of the structural engineering activities in this State and vesting in such managing agent full authority to make all final decisions involving structural engineering work within Illinois.~~
 - 5) ~~A list of all office locations in Illinois at which the corporation, limited liability company, or partnership or sole proprietorship provides structural engineering services.~~
 - 6) ~~A list of all assumed names used by the corporation, limited liability company, partnership or sole proprietorship.~~
 - 7) ~~The fee required in Section 17 of the Act.~~
- b) Upon receipt of the above documents and review of the application, the Department shall issue a license authorizing the corporation, limited liability company, partnership or sole proprietorship to engage in the practice of structural engineering or notify the applicant of the reason for the denial of the such application.
- c) Each corporation, limited liability company or partnership shall be responsible for notifying the Department within 30 days after of any changes in:
 - 1) The membership of the board of directors, members of the limited liability company or the general partners; and
 - 2) The licensure status of the general partners or any of the licensed structural engineer members of the board of directors.
- d) Each corporation, limited liability company or partnership shall be responsible for notifying the Department in writing, by certified mail, within 10 business days after of the termination or change in status of the managing agent. Thereafter, the corporation, limited liability company or partnership, if it has so informed the Department

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has 30 days to notify the Department of the name and license number of the structural engineer licensed in Illinois who is the newly designated managing agent.

e) Any failure to notify the Department as required in subsection (c) and (d) above or any failure of the corporation, limited liability company or partnership to continue to comply with the requirements of Section 19 of the Act will subject the corporation, limited liability company or partnership to the loss of its license to practice structural engineering in Illinois.

f) Sole Proprietorships. Any sole proprietorship owned and operated by a structural engineer who has an active Illinois license is exempt from the registration requirements of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietor shall file an application with the Department indicating all assumed names utilized. A sole proprietorship shall notify the Department of all assumed name changes ~~the fee required in Section 17 of the Act.~~

g) In addition to the seal requirements in Section 14 of the Act, all documents or technical submissions prepared by the design firm shall contain the design firm registration number issued by the Department.

(Source: Amended at 21 Ill. Reg. 13844, effective 10/1/97)

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- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Emergency Action:
140.2 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ICS 5/12-13] and Public Act 89-499
- 5) Effective Date: October 1, 1997
- 6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable
- 7) Date Filed in Agency's Principal Office: October 1, 1997
- 8) Reason for Emergency: These emergency amendments are necessary to carry out provisions of Public Act 89-499 that allow the Department to undertake a demonstration project concerning supportive living facilities (SLFs). Funding has been allocated for this project to be implemented during fiscal year 1998. The objective of the SLF demonstration project is to study alternative settings for persons in need of long term care, to identify the essential services and supports needed to maintain lighter need individuals in an assisted living environment, and to determine if the SLF option provides a cost effective alternative to nursing facility care. Immediate implementation of these amendments will ensure the timely availability of SLF environments for eligible Medicaid clients.

- 9) Complete Description of the Subjects and Issues Involved: These emergency amendments provide Department coverage for eligible persons who reside in specified Supportive Living Facilities (SLFs). These amendments and companion emergency amendments at 89 Ill. Adm. Code 146 under new Subpart B, Supportive Living Facilities, are necessary to implement provisions of Public Act 89-499 allowing the Department to undertake a demonstration project on alternatives to traditional nursing home care. The purpose of the demonstration project is to determine the viability of SLFs that are intended to promote the independence, well-being and dignity of residents in a cost effective manner. The project is designed to provide alternative living arrangements for persons with a disability who are age 22 years or over, or persons who are age 65 years or over. All individuals seeking supportive living services must be found to be in need of a nursing facility level of care, yet have the ability to live independently with some assistance in a home-like setting.

The objective of the SLF demonstration project is to study alternative settings for long term care, to identify the essential services and supports needed to maintain lighter need individuals in an assisted living

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environment, and to determine if the SLF option provides a cost effective alternative to nursing facility care.

The SLF demonstration project will be effective October 1, 1997. The Department anticipates an annual cost savings of approximately \$1 million.

10) Are there any proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
140.413	Amendment	September 12, 1997 (21 Ill. Reg. 12399)
140.470	Amendment	August 29, 1997 (21 Ill. Reg. 11889)
140.471	Amendment	August 29, 1997 (21 Ill. Reg. 11889)
140.472	Amendment	August 29, 1997 (21 Ill. Reg. 11889)
140.474	Amendment	August 29, 1997 (21 Ill. Reg. 11889)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, IL 62763
(217) 524-3215

The full text of the Emergency Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

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140.1	Incorporation By Reference
140.2	Medical Assistance Programs
EMERGENCY	
140.3	Covered Services Under Medical Assistance Programs
140.4	Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5	Covered Medical Services Under General Assistance
140.6	Medical Services Not Covered
140.7	Medical Assistance Provided to Individuals Under the Age of Eighteen
140.8	Who Do Not Qualify for AFDC and Children Under Age Eight
140.9	Medical Assistance For Qualified Severely Impaired Individuals
	Medical Assistance for a Pregnant Woman Who Would Not Be
	Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already
	Born or Who Do Not Qualify As Mandatory Categorically Needy
140.10	Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

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140.11	Enrollment Conditions for Medical Providers
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140.14	Denial of Application to Participate in the Medical Assistance Program
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140.17	Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.18	Effect of Termination on Individuals Associated with Vendor
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140.20	Submittal of Claims
140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
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140.26 Payment to Factors Prohibited
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 140.28 Record Requirements for Medical Providers
 140.30 Audits
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 140.32 Prohibition on Participation, and Special Permission for Participation
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 140.40 Prior Approval for Medical Services or Items
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 140.42 Limitation on Prior Approval
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 140.55 Recipient Eligibility Verification (REV) System
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 140.72 Voucher Advance Payment and Expedited Payments
 140.73 Drug Manual (Recodified)
 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER ASSESSMENTS

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 140.80 Hospital Provider Fund
 140.82 Developmentally Disabled Care Provider Fund
 140.84 Long Term Care Provider Fund
 140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
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 140.95 Hospital Services Trust Fund
 140.96 General Requirements (Recodified)
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 140.98 Covered Hospital Services (Recodified)
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 140.100 Limitation On Hospital Services (Recodified)
 140.101 Transplants (Recodified)
 140.102 Heart Transplants (Recodified)
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 140.110 Disproportionate Share Hospital Adjustments (Recodified)
 140.116 Payment for Inpatient Services for GA (Recodified)
 140.117 Hospital Outpatient and Clinic Services (Recodified)
 140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
 140.201 Payment for Hospital Services After June 30, 1982 (Repealed)
 140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)
 140.203 Limits on Length of Stay by Diagnosis (Recodified)
 140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
 Copayments (Recodified)

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140.360 Payment Methodology (Recodified)
 140.361 Non-Participating Hospitals (Recodified)
 140.362 Pre July 1, 1989 Services (Recodified)
 140.363 Post June 30, 1989 Services (Recodified)
 140.364 Prepayment Review (Recodified)
 140.365 Base Year Costs (Recodified)
 140.366 Restructuring Adjustment (Recodified)
 140.367 Inflation Adjustment (Recodified)
 140.368 Volume Adjustment (Repealed)
 140.369 Groupings (Recodified)
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 140.371 Payment (Recodified)
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 140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.391 Definitions (Recodified)
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 140.420 Dental Services
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 140.425 Podiatry Services
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days;

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amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18088, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.912 and 140.912 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.205 and 147.205 Table A and 147.205 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12

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Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.998 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective

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October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993;

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amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5653, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5958, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. ~~13855~~¹³⁸⁵⁶, effective October 1, 1997, for a maximum of 150 days.

Section 140.2 Medical Assistance Programs

EMERGENCY

- a) Under the Medical Assistance Programs, the Department pays participating providers for necessary medical services, specified in Section 140.3 through 140.7 for:
- 1) persons eligible for financial assistance under the Department's Aid to the Aged, Blind or Disabled-State Supplemental Payment (AABO-SSP) and Aid to Families with Dependent Children (AFDC) programs (Medicaid - MAG);

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- 2) persons who would be eligible for financial assistance but who have resources in excess of the Department's eligibility standards and who have incurred medical expenses greater than the difference between their income and the Department's standards (Medicaid - MANG);
- 3) persons receiving financial assistance under the Department's General Assistance (GA) program, either State Transitional Assistance or State Family and Children Assistance (GA-Medical);
- 4) individuals under age 18 who do not qualify for AFDC/AFDC-MANG and infants under age one year (see Section 140.7);
- 5) pregnant women who would not be eligible for AFDC/AFDC-MANG if the child were born and who do not qualify as mandatory categorically needy (see Section 140.9);
- 6) persons who are eligible for Title IV-E adoption assistance/foster care assistance from another State and who are living in Illinois; **and**
- 7) noncitizens who have an emergency medical condition (see 89 Ill. Adm. Code 120.310); however, payment is not included for care and services related to an organ transplant procedure; **and**
- 8) persons eligible for medical assistance under the Department's Aid to the Aged, Blind or Disabled (AABD) program who reside in Specified Supportive Living Facilities (SDFs), as described at 89 Ill. Adm. Code 146, Subpart B.

b) "Necessary medical care" is that which is generally recognized as standard medical care required because of disease, disability, infirmity or impairment.

c) The Department may impose prior approval requirements, as specified by rule, to determine whether the medical care is necessary and eligible for payment from the Department in individual situations. Such requirements shall be based on recommendations of technical and professional staff and advisory committees.

d) When recipients are entitled to Medicare benefits, the Department shall assume responsibility for their deductible and coinsurance obligations, unless the recipients have income and/or resources available to meet these needs. The total payment to a provider from both Medicare and the Department shall not exceed either the amount that Medicare determines to be a reasonable charge or the Department standard for the services provided, whichever is applicable.

e) The Department shall pay for services and items not allowed by Medicare only if they are provided in accordance with Department policy for recipients not entitled to Medicare benefits.

f) The Department may contract with qualified practitioners, hospitals and all other dispensers of medical services for the provision and reimbursement of any and all medical care or services as specified in the contract on a prepaid capitation basis (i.e., payment of a fixed amount per enrollee made in advance of the service); volume purchase basis (i.e., purchase of a volume of goods or services for a price specified in the contract); ambulatory visit basis (i.e., one

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comprehensive payment for each visit regardless of the services provided during that visit) or per discharge basis (i.e., one comprehensive payment per discharge regardless of the services provided during the stay). Such contracts shall be based either on formally solicited competitive bid proposals or individually negotiated rates with providers willing to enter into special contractual arrangements with the State.

g) The Department may require that recipients of medical assistance under any of the Department's programs exercise their freedom of choice by choosing to receive medical care under the traditional fee for service system or through a prepaid capitation plan or under one of the other alternative contractual arrangements described in subsection (f). The categories of recipients who may choose or be assigned to an alternative plan will be specified in the contract. Recipients required to make such a choice will be notified in writing by the Department. If a recipient does not choose to exercise his/her freedom of choice, the Department may assign that recipient to a prepaid plan. Under such a plan, recipients would obtain certain medical services or supplies from a single source or limited source. The Department will notify recipients in writing if they are assigned to a prepaid plan. Recipients enrolled in or assigned to a prepaid plan will receive written notification advising them of the services which they will receive from the plan. Covered services not provided by the plan will be reimbursed by the Department on a fee for service basis. Recipients will receive a medical eligibility card which will apply to such services.

h) The Department may enter into contracts for the provision of medical care on a prepaid capitation basis from a Health Maintenance Organization (HMO) whereby the recipient who chooses to receive medical care through an HMO must stay in the HMO for a certain period of time, not to exceed six months (the enrollment period). Upon written notice, the recipient may choose to disenroll from such an HMO at any time within the first month of each enrollment period. The Department will send the recipient a notice at least 30 days prior to the end of the enrollment period which gives the recipient a specified period of time in which to inform the Department if the recipient does not wish to re-enroll in the HMO for a new enrollment period. The recipient may then disenroll at the end of the enrollment period only if the recipient responds to the notice and indicates in writing a choice to disenroll. Failure to respond to the notice will result in automatic re-enrollment for a new enrollment period. Recipients shall also be allowed to disenroll at any time for cause.

i) The Department may enter into contracts for the provision of medical care on a prepaid capitation basis from a Health Maintenance Organization whereby the recipient who chooses to receive medical care through an HMO may choose to disenroll at any time, upon written notice.

j) The Department shall pay for services under the Maternal and Child

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Health Program, a primary health care program for pregnant women and children (see Subpart G).

(Source: Emergency amendment at 21 Ill. Reg. October 1, 1997, for a maximum of 150 days)

1385, effective

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1) Heading of the Part: Specialized Health Care Delivery Systems

2) Code Citation: 89 Ill. Adm. Code 146

3) Section Numbers:
 146.200 New Section
 146.205 New Section
 146.210 New Section
 146.215 New Section
 146.220 New Section
 146.225 New Section
 146.230 New Section
 146.235 New Section
 146.240 New Section
 146.245 New Section
 146.250 New Section
 146.255 New Section
 146.260 New Section
 146.265 New Section
 146.270 New Section
 146.275 New Section
 146.280 New Section
 146.285 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Public Act 89-499

5) Effective Date: October 1, 1997

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7) Date Filed in Agency's Principal Office: October 1, 1997

8) Reason for Emergency: These emergency amendments are necessary to carry out provisions of Public Act 89-499 that allow the Department to undertake a demonstration project concerning supportive living facilities (SLFs). Funding has been allocated for this project to be implemented during fiscal year 1998. The objective of the SLF demonstration project is to study alternative settings for persons in need of long term care, to identify the essential services and supports needed to maintain lighter need individuals in an assisted living environment, and to determine if the SLF option provides a cost effective alternative to nursing facility care. Immediate implementation of these amendments will ensure the timely availability of SLF environments for eligible Medicaid clients.

9) Complete Description of the Subjects and Issues Involved: These emergency amendments concerning supportive living facilities (SLFs) are necessary to

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implement provisions of Public Act 89-499 allowing the Department to undertake a demonstration project on alternatives to traditional nursing home care. The purpose of the demonstration project is to determine the viability of SLFs that are intended to promote the independence, well-being and dignity of residents in a cost effective manner. The project is designed to provide alternative living arrangements for persons with a disability who are age 22 years or over, or persons who are age 65 years or over. All individuals seeking supportive living services must be found to be in need of a nursing facility level of care, yet have the ability to live independently with some assistance. Rather than providing institutional nursing home care, SLFs will integrate housing, health and personal care and supportive services in a home-like setting.

The objective of the SLF demonstration project is to study alternative settings for long term care, to identify the essential services and supports needed to maintain lighter need individuals in an assisted living environment, and to determine if the SLF option provides a cost effective alternative to nursing facility care.

The SLF demonstration project will be effective October 1, 1997. The Department anticipates an annual cost savings of approximately \$1 million.

10) Are there any other proposed amendments pending on this Part? No

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, IL 62763
(217) 524-0081

The full text of the Emergency Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 146

SPECIALIZED HEALTH CARE DELIVERY SYSTEMS

SUBPART A: AMBULATORY SURGICAL TREATMENT CENTERS

Section	General Description
146.100	Definitions
146.105	Participation Requirements
146.110	Records and Data Reporting Requirements
146.115	Covered Ambulatory Surgical Treatment Center Services
146.125	Reimbursement for Services
146.130	

SUBPART B: SUPPORTIVE LIVING FACILITIES

146.200	General Description
EMERGENCY	
146.205	Definitions
EMERGENCY	
146.210	Structural Requirements
EMERGENCY	
146.215	SLF Participation Requirements
EMERGENCY	
146.220	Resident Participation Requirements
EMERGENCY	
146.225	Reimbursement for Medicaid Residents
EMERGENCY	
146.230	Services
EMERGENCY	
146.235	Staffing
EMERGENCY	
146.240	Resident Contract
EMERGENCY	
146.245	Assessment and Service Plan and Quarterly Evaluation
EMERGENCY	
146.250	Resident Rights
EMERGENCY	
146.255	Discharge Criteria
EMERGENCY	
146.260	Grievance Procedure
EMERGENCY	
146.265	Records Requirements
EMERGENCY	
146.270	Quality Assurance Plan

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EMERGENCY146.275 MonitoringEMERGENCY146.280 Termination or Suspension of SLF Provider AgreementEMERGENCY146.285 Voluntary Surrender of CertificationEMERGENCY

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Old Part repealed at 14 Ill. Reg. 13800, effective August 15, 1990; New Part adopted at 20 Ill. Reg. 4419, effective February 29, 1996; emergency amendment at 21 Ill. Reg. **13875**, effective October 1, 1997, for a maximum of 150 days.

SUBPART B: SUPPORTIVE LIVING PROGRAM FACILITIESSection 146.200 General DescriptionEMERGENCY

The Public Aid Code [305 ILCS 5/5-5.01a] calls for a demonstration project to determine the viability of supportive living facilities (SLFs) that seek to promote independence, dignity, respect and well-being for residents in the most cost effective manner. SLFs shall serve persons with a disability age 22 years and over or persons who are age 65 and over who meet the requirements described in Section 146.220.

(Source: Added by emergency rule at 21 Ill. Reg. **13875**, effective October 1, 1997, for a maximum of 150 days)

Section 146.205 DefinitionsEMERGENCY

For purposes of this Part, the following terms shall be defined as follows:

"Activities of Daily Living" means eating, bathing, dressing, transferring, toileting, walking and grooming.

"Assessment" means either the federally mandated assessment instrument commonly referred to as minimum data set (MDS) or the Department designated resident assessment instrument designed for use in SLFs.

"Bank Nursing Facility Beds" means SLF providers that choose to participate by converting a distinct part of a nursing facility shall be allowed to retain the Certificate of Need for nursing beds that

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were converted.

"Complaint" means a phone call, letter or personal contact to the Department from a resident, family member or resident representative expressing a concern related to the health, safety or well-being of one or more SLF residents.

"Contract" means the written agreement between a SLF and the Department to provide all services set forth in this Subpart B.

"Department" means the Illinois Department of Public Aid.

"Direct Care Staff" means staff which provide assistance with activities of daily living or other personal needs or maintenance, or general supervision and oversight of the physical and mental well-being of an individual.

"Distinct Part" means a separate building or an entire wing or other physically identifiable space of an existing facility licensed under the Nursing Home Care Act or the Hospital Licensing Act that is operated distinguishably from the rest of the facility. The distinct part of a nursing facility will not be subject to provisions of the Nursing Home Care Act. The distinct part of a hospital continues to be subject to provisions of the Hospital Licensing Act while complying with provisions of this Subpart B. A distinct part does not include the conversion of an entire nursing facility or hospital.

"Follow-up Care" means the response to, and documentation of, the service plan which is discussed with, and agreed to by, the resident. It may include physician referrals, revision of the service plan to incorporate nursing services, health promotion counseling and teaching self care in meeting health needs.

"Freestanding Facility" means a separate building that is not part of an existing nursing facility or hospital. Freestanding facilities include conversion of an entire nursing facility or hospital.

"Licensed Nurse" means a person whose services are paid for by the SLF and who is licensed as a registered nurse, registered professional nurse, practical nurse or licensed practical nurse under the Illinois Nursing Act of 1987 [225 ILCS 65].

"Medicaid" means the Department's Medical Assistance Program.

"Medicaid Resident" means a person with a disability (as determined by the Social Security Administration) age 22 years and over, or a person who is age 65 years and over who has been determined eligible for Medicaid payment for SLF services. Eligibility for a person residing

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in a SLF shall be determined in accordance with 89 Ill. Adm. Code 120.10 and 120.61 (excluding subsection (f) of Section 120.61). Provisions for property transfers as described at 89 Ill. Adm. Code 120.387 shall apply to a person residing in a SLF. Provisions for the prevention of spousal impoverishment as described at 89 Ill. Adm. Code 120.379 shall apply to a person residing in a SLF.

"Medical Assistance Program" means the program administered under Article V of the Illinois Public Aid Code [305 ILCS 5/Art. V] or successor programs and Title XIX of the Social Security Act (42 U.S.C. 1396) and related Federal and State rules and regulations.

"Related Parties" means affiliates of the SLF; entities for which investments are accounted for by the equity method by the entire enterprise; trusts for the benefit of employees, such as pensions and profit-sharing trusts that are managed by or under the trusteeship of management; any general partner; management of the SLF; members of the immediate families of principal owners of the SLF or its management; and other parties with which the SLF may deal if one party controls or can significantly influence management or operating policies of the other to an extent that one of the transacting parties might be prevented from fully pursuing its own separate interests. An entity or person shall be deemed by the Department to be a related party if it can significantly influence management or operating policies of the transacting parties or if it has an ownership interest in one of the transacting parties and can significantly influence the other to an extent that one or more of the transacting parties might be prevented from fully pursuing its own separate interests.

"Resident" means a person living in a SLF, including Medicaid residents as defined in this Section, as well as individuals who are not eligible for Medicaid payment for SLF services.

"RFP" means a Request for Proposal.

"Room and Board" means the housing and meals provided under the resident contract.

"Services" means the personal and health care related services provided by the SLF pursuant to Section 146.230.

"Service Plan" means the written plan that is developed by a licensed nurse with input from the resident, or his or her designated representative, based upon the assessment and shall be completed within seven days after completion of the assessment.

"SLF" or Supportive Living Facility" means a residential setting in Illinois that: provides or coordinates flexible personal care

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services, 24 hour supervision and assistance (scheduled and unscheduled), activities, and health related services with a service program and physical environment designed to minimize the need for residents to move within or from the setting to accommodate changing needs and preferences; has an organizational mission, service programs and a physical environment designed to maximize residents' dignity, autonomy, privacy and independence; and encourages family and community involvement.

"SSI" means Supplemental Security Income under Title XVI of the Social Security Act.

"Subcontractor" means any person who assumes any duties and responsibilities from the SLF under this contract for the performance of an act for which the SLF has contracted with the Department.

(Source: Added by emergency rule at 21 Ill. Reg. 13675, effective October 1, 1997, for a maximum of 150 days)

Section 146.210 Structural RequirementsEMERGENCYa) Building Construction

1) Each SLF shall be in compliance with local building codes and the rules of the State Fire Marshal [425 ILCS 25], if applicable.

2) Each SLF shall meet accessibility standards as related to the Americans with Disabilities Act of 1990.

3) A SLF shall not have any apartments below grade level.

4) All freestanding sites consisting of two or more stories with 75 or fewer units shall have a minimum of one elevator available for resident use. All freestanding sites consisting of two or more stories with 76 or more units shall have a minimum of two elevators available for resident use.

b) Heating and Air Conditioning

1) All residential apartments shall have individually controlled systems to maintain comfortable temperatures.

2) Buildings shall provide a heating and air conditioning system in public areas to maintain comfortable temperatures.

c) Illumination

Illumination systems shall be installed and maintained to ensure sufficient lighting for general lighting, reading, night lighting for corridors, stairwells and emergency situations. There shall be adequate illumination for outdoor areas.

Resident Apartments General Requirements - Freestanding Sites

1) Each SLF apartment shall have at least 350 square feet of living space, excluding closets and the bathroom, for a person living alone. Individuals wishing to share an apartment shall have no less than 500 square feet of living space, excluding closets and

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- the bathroom.
- 2) Each apartment shall be equipped at a minimum with:
 - A) A door that locks from the inside;
 - B) A full bathroom as defined in this Section;
 - C) An emergency call system pursuant to Section 146.230(n);
 - D) Heating and cooling controls;
 - E) An individual mailbox which shall be located inside the building;
 - F) Wiring for private telephone lines;
 - G) Access to cable television or satellite dish; and
 - H) A sink, microwave oven or stove and refrigerator with a capacity of not less than 14 cubic feet, including freezer capacity of not less than three cubic feet.
 - 3) Each SLF shall have a master key to each apartment to be used only in case of an emergency.
 - 4) Each freestanding SLF shall consist of one building housing at least ten but no more than 150 apartments.
- e) Resident Apartments General Requirements - Rehabilitated Nursing Facilities
- 1) Any nursing facility rehabilitating a portion of the facility to conform with SLF requirements shall convert a distinct part of existing facility space. Each SLF apartment shall have at least 160 square feet of living space, excluding closets and the bathroom, for a person living alone. Individuals wishing to share an apartment shall not have less than 370 square feet of living space, excluding closets and the bathroom.
 - 2) Each apartment shall be equipped at a minimum with:
 - A) A door that locks from the inside;
 - B) A full bathroom as defined in this Section that may be between and shared by the adjoining apartment;
 - C) An emergency call system pursuant to Section 146.230(n);
 - D) Heating and cooling controls;
 - E) An individual mailbox which shall be located inside the building;
 - F) Wiring for private telephone lines;
 - G) Access to cable television or satellite dish; and
 - H) A sink, microwave oven or stove and refrigerator with a capacity of not less than 14 cubic feet, including freezer capacity of not less than three cubic feet.
 - 3) Each SLF shall have a master key to each apartment to be used only in case of an emergency.
 - 4) Each rehabilitated nursing facility shall consist of a distinct part of an existing facility housing at least ten apartments but no more than 150 apartments.
- f) Apartment Bathrooms
- 1) Each bathroom shall be equipped with:
 - A) A toilet with surrounding grab bars;
 - B) A sink;

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- C) Hot and cold running water with faucets that meet all marking standards for residential building codes; and
 - D) An emergency call system pursuant to Section 146.230(n).
 - 2) At least ten percent of all apartment bathrooms shall be wheelchair accessible to allow a five foot turning radius or utilize American National Standards Institute T-shape or Y-shape, including a roll-in shower with non-skid surfaces with hand held shower heads and grab bars.
 - 3) At least 50 percent (separate from the ten percent noted in subsection (f)(2) of this Section) of all apartment bathrooms shall be equipped with only a shower stall with non-skid surfaces, hand held shower heads and grab bars.
 - 4) Each bathroom shall be a separate room and shall be designed to provide privacy.
 - 5) Wall construction in bathrooms shall have proper and appropriately placed blocking to allow installation of grab bars near toilets and in the shower.
 - 6) The SLF shall have at least one common bathing room which contains a bathtub and a roll-in shower which is wheelchair accessible to allow a five foot turning radius or utilize the American National Standards Institute T-shape or Y-shape, both of which have a non-skid surface, transfer seat and grab bars. Each bathing room shall have door locks to ensure privacy.
- g) Closet Space
- Each apartment shall have minimum closet space of 90 cubic feet, with floor dimensions no less than 72 inches wide and 30 inches deep. Each closet shall be equipped with a door.
- h) Doors
- 1) All doors in residential apartments, including entrance doors, shall be wheelchair accessible.
 - 2) Entrance doors to apartments shall have locking devices that are accessible to the outside.
 - 3) Entrance doors to residential apartments shall open onto a public corridor.
 - 4) Entrance doors to each apartment shall be equipped with an "eye-view".
- i) Windows
- All apartment windows shall be of clear glass (except bathrooms) and large enough to permit viewing to the outside. Apartments shall have at least one window with a sill height that permits viewing from a seated position.
- j) Common Areas
- 1) The SLF shall have a minimum of two common areas that provide residents with space for socialization. The dining room may be used as one of the common areas.
 - 2) All common areas shall be accessible for wheelchair use and shall be designed and furnished to meet resident needs.
 - 3) Common areas shall be available for resident use at any time.

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provided such use does not disturb the health, safety, and well-being of other residents. Access to private or public outdoor recreation areas shall be available to all residents.

- 4) Each common area shall be equipped with an emergency call system pursuant to Section 146.230(n).

k) Public Restrooms

- 1) There shall be at least one public restroom that is handicapped accessible.
- 2) All public restrooms shall be clean.
- 3) All public restrooms shall contain toilet tissue, waste receptacles and hand drying means that cannot be reused. Soap shall be provided in a manner that minimizes contamination.

l) Public Telephone

There shall be an accessible pay telephone in a common area that allows residents and others to conduct private conversations.

m) Social and Recreational Areas

- 1) Accessible public areas shall be provided for residents' social and recreational use.
- 2) Social and recreational areas in rehabilitated nursing facilities shall be separate from those of the nursing facility. Rehabilitated nursing facilities may use the SLF dining room as a social and recreational area.

n) Kitchens

- 1) SLF kitchens in rehabilitated nursing facilities may be shared with the nursing facility.
- 2) Food shall be prepared on-site in a full service kitchen. The food shall be freshly prepared each day and served in a central dining area.
- 3) Notwithstanding requirements found in any local health or food preparation ordinances, the SLF shall have a kitchen that provides:

- A) Storage for non-perishable foods and perishable foods;
- B) Food preparation areas with cleanable surfaces;
- C) Capacity for resident food distribution at the appropriate temperature;
- D) Kitchenware washing space as necessary to meet food service needs;
- E) Hand washing areas separate from food washing areas;
- F) Area to store and clean garbage cans and carts;
- G) Self-dispensing ice-making capability; and
- H) Doors between the kitchen and dining area that are lockable.

o) Dining Areas

- 1) The SLF shall have handicapped accessible dining space to accommodate residents.
- 2) The dining area in rehabilitated nursing facilities shall be separate from the dining area of the nursing facility.

p) Laundry Rooms

- 1) Laundry rooms for resident use:

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- A) In addition to laundry services provided under Section 146.230, at least one accessible washer and dryer shall be provided for resident use at no cost. The resident shall be responsible for the cost of all detergent and fabric softeners.

- B) There shall be a sink for hand washing separate from sinks used for laundry rinsing in the laundry area.

- C) There shall be an emergency call system pursuant to Section 146.230(n) in each laundry room available for resident use.

2) Laundry rooms for SLFs:

- A) If laundry is done on-site, the laundry equipment shall be located in a separate room from that of the laundry room used by the residents.
- B) The SLF shall have space for laundry soiled with body secretions to be processed separately from other soiled linens and laundry.
- C) There shall be a sink for hand washing separate from sinks used for laundry rinsing in the laundry area.

g) Housekeeping and Maintenance Areas

There shall be at least one lockable janitor closet in the building. All janitor closets shall have a source of hot and cold running water. Rehabilitated nursing facilities may use the same janitor closet as the nursing facility.

r) Smoking Areas

Smoking shall be restricted to areas equipped with ventilation to maintain non-smoking areas smoke-free, or to indoor areas that are separate from other common areas. These areas shall be in compliance with the Illinois Clean Indoor Air Act [410 ILCS 80].

s) Water Services

- 1) The building water supply shall be taken from a water system that is constructed, protected, operated and maintained in conformance with State and local regulations.
- 2) Water temperatures in the central kitchen and laundry used for sanitizing shall meet the standards of the local or State health department.
- 3) Hot and cold running water with adequate water pressure shall be maintained.
- 4) Drinking water shall be accessible to residents at all times in common areas and residential apartments.

t) Waste Removal

- 1) Liquid wastes shall be collected, stored, and disposed of in accordance with State building and health regulations. Those liquid wastes resulting from compacting shall be disposed of as sewage.
- 2) Sewage disposal shall be operated in compliance with State and local building and health department regulations.
- 3) Solid waste containers for use inside and outside shall be insect-proof, rodent-proof, fire-proof, non-absorbent and

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- water-tight containers with tight fitting lids.
- 4) Indoor garbage containers shall be cleaned frequently enough to minimize the transmission of infection and attraction by insects and rodents.
 - 5) Garbage from the public areas of the building shall be collected daily, and garbage from the residential apartments shall be collected as needed. All garbage shall be held in approved receptacles outside the building for removal on a regular schedule. Garbage and trash shall be disposed of in accordance with local ordinances.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.215 SLF Participation Requirements
EMERGENCY

- a) Facilities or distinct parts of facilities which are selected as SLFs and are in good standing with provisions contained in this Subpart B are exempt from the provisions of the Nursing Home Care Act [210 ILCS 45] and the Illinois Health Facilities Planning Act [20 ILCS 3960]. Nursing facilities rehabilitating a portion of the facility to conform with this Subpart B shall be allowed to bank their nursing facility beds until the conclusion of the project or until the facility wishes to withdraw from the project and convert the SLF beds back to NF beds. A SLF does not include:
 - 1) A home, institution, or other place operated by the federal government or agency thereof, or by the State of Illinois;
 - 2) A "long term care facility" licensed by the Nursing Home Care Act or Hospital Licensing Act. However, a nursing facility licensed under the aforementioned Acts can convert a distinct part to a SLF. If the nursing facility elects to convert a distinct part, the facility retains the Certificate of Need for nursing beds that were converted;
 - 3) Any "facility for child care" as defined in the Child Care Act of 1969 [225 ILCS 10];
 - 4) Any "Community Living Facility" as defined in the Community Living Facilities Licensing Act [210 ILCS 35];
 - 5) Any "community residential alternative" as defined in the Community Residential Alternatives Licensing Act [405 ILCS 30];
 - 6) Any nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed of any well recognized church or religious denomination;
 - 7) Any facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135];

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- 8) Any "Supportive Residence" licensed under the Supportive Residences Licensing Act [210 ILCS 65];
 - 9) Preexisting hospice facilities [210 ILCS 60]; or
 - 10) A "life care facility" as defined in the Life Care Facilities Act [210 ILCS 40].
- c) In order to become certified by the Department, a SLF shall:
 - 1) Be selected through the RFP process;
 - 2) Negotiate and execute a contract with the Department; and
 - 3) Submit a non-refundable \$500 application fee.
 - d) In order to participate as an enrolled Medicaid provider, a SLF shall:
 - 1) Be certified by the Department.
 - 2) Submit the following information to the Department at the time of initial enrollment and prior to any subsequent changes:
 - A) The name, address and telephone number of the owner, operator and management agent.
 - B) The name of each member of the governing body if the entity is government sponsored.
 - C) Proof of not-for-profit status if claiming tax-exempt status.
 - D) Names of any officers, directors, partners or members of a governing body who have financial interest of at least five percent in the SLF's operation.
 - E) Any related party as defined in Section 146.205.
 - F) Any owner or related party with a felony criminal conviction.
 - G) The name of the individual responsible for the management of the SLF.
 - H) The address, mailing address and telephone number of the SLF where services will be provided.
 - I) The name and address of service providers contracting with the SLF.
 - J) The maximum number of apartments that the SLF has available, the number of apartments set aside for Medicaid and the number of apartments structured for two cohabitants.
 - K) The maximum number of residents that the SLF has the capacity to serve at any one time.
 - L) Verification of approval of the SLF's architectural plans from the Department or its designee. The architectural plans shall conform to the current State building codes for the respective building type, local fire and Life Safety Standards for health care occupancy or the National Fire Protection Life Safety Code (NFPA) 101, Chapter 21, Residential Board and Care Occupancies. Plans shall be drawn to a scale of one-fourth inch or one-eighth inch to the foot and specify the date on which construction, modification or conversion is expected to be completed. The plans shall include the name of an architect or engineer duly licensed by the State. The SLF shall be responsible

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for payment to the Department or its designee for review of the plans.

- 3) Pass an on-site review, initially and annually thereafter, conducted by the Department or its designee, which includes review of:

A) Documentation that demonstrates physical plant, health and sanitation, and food preparation compliance with local and county ordinances and regulations, compliance with current Fire and Life Safety standards for health care occupancy or the National Fire Protection Life Safety Code (NFPA) 101, Chapter 21, Residential Board and Care Occupancies and State building codes for the respective building type.

B) Assessment, service plan and the provision of services identified in Section 146.230 to ensure that resident needs are met.

C) Patterns to ensure that the SLF has on-site staff sufficient in number to meet the needs of residents. Staff shall demonstrate capacity, within their job responsibilities, to provide covered services and perform tasks.

D) Compliance with the Department's contract, provider agreement and resident contracts.

E) Grievance procedures.

F) Protection of individual rights and resident's involvement directing his or her own care.

G) Quality assurance policy and procedures established in accordance with Section 146.270.

H) Resident satisfaction surveys. The SLF shall conduct an annual resident satisfaction survey which shall be available for review by the Department or its designee. The resident satisfaction survey shall include, but not be limited to, whether the:

- i) Residents have the opportunity to provide input into development and implementation of existing SLF policies and procedures;
- ii) Existing SLF policies and procedures are clear to residents;
- iii) Residents have access to existing SLF policies and procedures;
- iv) Residents have a degree of control over personal lifestyle preferences;
- v) Residents have access to common areas;
- vi) Residents are satisfied with surroundings as "home-like"; and
- vii) Residents have the opportunity to exercise personal lifestyle preferences and direct services according to personal preferences (for example, meal choices and refusal of services).

e) The SLF shall execute a Medicaid provider agreement with the

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Department.

f) The SLF shall be willing to accept the SSI rate (less \$90 for personal allowance) for room and board for Medicaid residents. If the private and Medicaid rates are different, the SLF shall be willing to reserve not less than 25 percent of its apartments for Medicaid residents. Those facilities willing to set a commensurate rate for both private pay and Medicaid residents are not required to reserve apartments for Medicaid residents but must be willing to accept Medicaid residents on a first come, first served basis.

g) SLF certification is not transferable or applicable to any location, provider, management agent or ownership other than that indicated on the Medicaid provider agreement and contract.

1) The Department shall be notified 60 days prior to a change of ownership or management. Change of ownership means a change of five percent or more.

2) The Department has the right to terminate its contract with the SLF if the change of ownership involves a barred Medicaid provider.

3) The new ownership shall comply with the applicable certification requirements found in this Section 146.215.

4) The Department shall conduct an on-site certification review not later than at the time of the next annual certification review or within three months after the effective date of the change of ownership.

5) SLF certification shall be deemed to extend to the new owner until the Department separately certifies the SLF under the new owner.

h) A SLF certification shall be effective for two years after the date issued and is renewable at the end of this period pursuant to this Section unless terminated or suspended in accordance with Section 146.280.

i) The certification issued by the Department shall include:

- 1) Name and address of the SLF;
 - 2) Name of the owner, operator and management agent for the housing and service entities involved in providing SLF services;
 - 3) Maximum number of residents to be served at any time; and
 - 4) Number of apartments certified in the SLF.
- j) Providers certified for SLF shall not operate or maintain SLF housing and services in combination with a home health, home care, nursing home, hospital, residential care setting, congregate care setting or other type of residence or service agency unless those settings and services are licensed, maintained and operated as separate and distinct entities.

k) Renewal of Certification

1) Unless the SLF is notified by the Department 30 days prior to termination of the contract, the certification is renewable upon submission of an application to the Department and the payment of a non-refundable \$500 application fee.

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- 2) Filing of an application for renewal of the certification and payment of the fee before the date of expiration extends the effective date of expiration until the Department takes action upon such application.
- 3) The Department shall refuse to renew a certification, pursuant to Section 146.280, if the SLF is not in compliance with all applicable laws and statutes, ordinances, codes or Department rules and requirements for the SLF.
- 1) The SLF shall comply with enrollment conditions identified in 89 Ill. Adm. Code 140.11.

(Source: Added by emergency rule at 21 Ill. Reg. 138'5, effective October 1, 1997, for a maximum of 150 days)

Section 146.220 Resident Participation RequirementsEMERGENCY

- a) The SLF may admit or retain Medicaid residents whose needs can be met through the services described in Section 146.230. This person would typically have a score of 29-40 on the Determination of Need (DON) and need assistance in one or more activities of daily living. These persons must meet all of the following criteria:

- 1) Be age 22 years or over with a disability (as determined by the Social Security Administration) or elderly (age 65 years or over).
- 2) Be screened by one of the State's authorized screening agents and found to be in need of nursing facility level of care. Persons transferring from a nursing facility to a SLF must be screened prior to admission to a SLF and found to be in need of nursing facility level of care.
- 3) Be without a primary or secondary diagnosis of developmental disability or chronic mental illness. (Developmental disability is defined as a disability which is attributable to mental retardation or a related condition.)
- 4) Be certified by a physician as needing nursing facility level of care.
- 5) Have income no less than the current maximum allowable amount of Supplemental Security Income (SSI) for a single person. Two individuals sharing an apartment may qualify for SLF services if each individual has income equal to or greater than the individual's share of the SSI rate for a couple.
- b) All private pay individuals seeking admission to a SLF shall be screened by the State's authorized screening agents. Private pay individuals who choose to be admitted into a SLF when the screening assessment does not justify nursing facility level of care need not be denied access to the SLF. Private pay residents seeking to convert to Medicaid while residing in a SLF shall be screened prior to the point of conversion by the Department or its designee and shall be found to

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- be in need of nursing facility level of care before Medicaid payment may be authorized.
- c) All individuals seeking admission to a SLF shall have documentation of a tuberculosis test administered in the three months prior to admission that indicates the absence of active tuberculosis.
- d) The SLF shall encourage families of residents with impairments that limit the resident's decision making ability to arrange to have a responsible party or guardian represent the resident's interests. All residents shall be presented information by the SLF about advance directives including the Durable Power of Attorney for Health Care.
- e) A Medicaid resident of a SLF cannot participate in the Department on Aging's Community Care Program or the Department of Human Services' Home Services Program.

(Source: Added by emergency rule at 21 Ill. Reg. 138'6, effective October 1, 1997, for a maximum of 150 days)

Section 146.225 Reimbursement for Medicaid ResidentsEMERGENCY

- a) The service portion of the rate shall be paid by the Department on a monthly basis. The service portion of the rate shall be established by contract with the Department. The rate cannot exceed 75 percent of the average nursing facility rate minus the average amount contributed from nursing facility resident income for a like population for the geographic area. The only exception to this rule shall be for rehabilitated nursing facilities whose average facility rate based on their geographic area. When this occurs, the higher rate shall be utilized when establishing the SLF rate. During the initial phase of the project, the rate shall be effective for two years.
- b) Single Occupancy: Each Medicaid resident of a SLF shall be allotted \$90 per month as a deduction from his or her income as a protected amount for personal use. The SLF may charge each Medicaid resident no more than the current SSI rate for a single individual less \$90 for room and board charges. Any income remaining after deduction of the protected \$90 and room and board charges shall be applied first towards medical expenses not covered under the Department's Medical Assistance Program. Any income remaining after that shall be applied to the charges for SLF services paid by the Department.
- c) Double Occupancy: In the event a Medicaid eligible resident chooses to share an apartment, the Medicaid resident of a SLF shall be allotted \$90 per month as a deduction from his or her income as a protected amount for personal use. The SLF may charge each Medicaid resident no more than the resident's share of the current SSI rate for a couple less \$90 for room and board charges. The room and board rate for two Medicaid eligible individuals sharing a room cannot exceed the SSI

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rate for a married couple even if the two individuals sharing a room are unrelated. Any income of an individual remaining after deduction of the protected \$90 and room and board charges shall be applied first towards that individual's medical expenses not covered under the Department's Medical Assistance Program. Any income of an individual remaining after that shall be applied to that individual's charges for SLF services paid by the Department. If one, or both, of the individuals sharing an apartment is not Medicaid eligible, the SLF is free to negotiate its own rate with the non-Medicaid individual or individuals.

- d) The room and board charge for Medicaid residents shall only be increased when the SSI amount is increased. Any room and board charge increase shall not exceed the amount of the SSI increase.
- e) No SLF payment shall be made by the Department during a Medicaid resident's temporary absence from the SLF when the absence is due to situations including but not limited to hospitalization or vacation. The resident shall continue to be responsible for room and board charges during any absence. Nursing facilities that have a distinct part certified as a SLF shall not consider converted beds in the nursing facility's licensed capacity when calculating the 93 percent occupancy level for bed reserve payment pursuant to 89 Ill. Adm. Code 140.523.

(Source: Added by emergency rule at 21 Ill. Reg. _____, effective October 1, 1997, for a maximum of 150 days)

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Section 146.230 Services EMERGENCY

- a) A SLF must combine housing, personal and health related services in response to the individual needs of residents who need help in activities of daily living. Supportive services shall be available 24 hours per day to meet scheduled and unscheduled needs in a way that promotes resident self-direction and participation in decisions that emphasize independence, individuality, privacy, dignity and autonomy in a residential setting.
- b) The payment rate received by the SLF from the Department for services provided in accordance with this Section shall constitute the full and complete charge for services rendered. Additional payment, other than patient credits authorized by the Department, may not be accepted.
- c) Nursing Services
 - 1) The SLF shall provide for an assessment and service plan pursuant to Section 146.245, initially and annually thereafter, for each SLF resident.
 - 2) When a resident is temporarily unable to administer his or her own medications, the medications shall be administered by a licensed nurse.
 - 3) Nursing services shall include medication set-up (such as

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preparing weekly pill caddies with that week's medication) and follow-up care that is conducted by a licensed nurse.

- 4) Other nursing services include episodic and intermittent health promotion or disease prevention counseling and teaching self-care in meeting routine and special health care needs that can be done by other staff under the supervision of a registered nurse.
- 5) All nursing services shall be provided in accordance with the Illinois Nursing Act of 1987 [225 ILCS 65].
- d) Personal Care
 - 1) The SLF shall provide personal care services for residents, including but not limited to assistance with bathing, eating, dressing, personal hygiene, grooming, toileting, ambulation and transfer.
 - 2) Upon request by the resident, the SLF shall assist in making medical appointments and arranging for transportation to and from the source of medical treatment (payment for medical transportation shall be made in accordance with 89 Ill. Adm. Code 140.490 through 140.492).
- e) Medication Oversight and Assistance in Self-Administration
 - 1) Reminding the resident to take his or her medications;
 - 2) Taking medication from where it is stored in the apartment and handing it to the resident when requested to do so by the resident;
 - 3) Opening or uncapping medication containers for physically impaired residents; and
 - 4) Assisting physically impaired residents in the removal of the medication from the container and assisting the resident in consuming or applying the medication when requested to do so by the resident (i.e., placing a dose in a container and placing the container to the mouth of the resident).

f) Meals

- 1) The SLF shall provide three meals per day, or two meals per day (noon and evening meals) and a breakfast bar. The meals shall include therapeutic diets as ordered by a physician. The daily food allowance for each resident shall meet the basic food pattern for a general diet for an adult following the recommendations of the Food and Nutrition Board, National Research Council.
- 2) The SLF shall make available beverages, including coffee, fruit juice and snack foods. This may be accomplished through the use of vending machines.
- 3) The same menu options shall be offered to all residents regardless of payment source unless there are therapeutic diets ordered by a physician.
- 4) All menus served shall be kept on file for not less than four months.
- 5) Supplies of staple foods for a minimum of a one week period and of perishable foods for a minimum of a two day period shall be

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maintained on the premises. Supplies shall be appropriate to meet the requirements of the menu.

6) Records of all food purchased shall be kept on file for not less than 18 months.

7) The SLF shall store, prepare, distribute and serve food in a manner to protect against contaminants and spoilage and to insure the preparation and serving of food at safe and palatable temperatures.

8) The SLF shall provide and maintain clean and sanitary central kitchen and dining areas. The SLF shall ensure a sanitary and adequate supply of eating and drinking utensils and pots and pans for preparing food in the central kitchen and dining areas.

9) Residents shall be provided with written information about menu plans. Menu cycles shall not be repeated within a one week time frame. There shall be an established mechanism for residents to provide input into the selection and preparation of food.

10) Residents may obtain, prepare and store food in residential apartments if doing so does not represent a health or safety hazard to others.

11) Each resident shall be provided with meal service in his or her apartment as a time limited service during periods of documented illness.

g)

Laundry
1) Laundry service shall be provided by the SLF if requested by a resident.

2) The SLF shall provide for the appropriate handling, cleaning, and storage of routine personal laundry, laundry soiled with body secretions and all other laundry. This includes all detergent and fabric softeners required to perform normal routine laundry service at no cost to the resident.

3) The SLF shall provide on-site laundry equipment for resident use in accordance with Section 146.210.

4) Laundry service does not include dry cleaning services.

h)

Housekeeping

1) The SLF shall provide for general housekeeping services at least weekly (house cleaning, laundry, bed making, changing of linens, dusting and vacuuming).

2) All housekeeping services provided in residential apartments shall take into account individual habits and lifestyle preferences.

3) All public areas shall be maintained in a clean and orderly condition.

4) All bathing rooms shall be maintained in a clean and orderly condition.

i)

Maintenance

1) Residential apartments shall be maintained in good repair.

2) The building and grounds shall be maintained clean and free of hazards, with all systems maintained in good working order.

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j) Social and Recreational Programming

1) The SLF shall facilitate the involvement of individual and community volunteer activities with and for residents.

2) The SLF shall provide programs at least twice weekly, which include on-site programs as well as off-site trips, allowing for social and recreational programs for the residents. Transportation shall be provided by the SLF for scheduled activities off-site.

3) The SLF shall provide access to opportunities for scheduled and unscheduled individual and group socialization within the SLF and in the larger community.

k) Ancillary Services

1) The SLF shall provide transportation for scheduled group shopping and other community and social activities.

2) The SLF shall assist a resident in obtaining needed and preferred services offered outside the SLF at his or her request.

3) When a resident is temporarily unable to shop, the SLF shall provide shopping assistance.

l) 24 Hour Response/Security Staff

1) Response/security staff shall be available on the premises 24 hours a day to respond to scheduled or unpredictable needs and emergency calls from residents. Staff shall possess certification in emergency resuscitation. The SLF shall provide one staff person for facilities with ten to 75 apartments, and a second staff person for facilities with 76 to 150 apartments.

2) Security shall be provided 24 hours a day and shall include lockable entrances (accessibility controlled by SLF staff for security purposes during overnight hours) and on-site personnel. All residents shall have 24 hour access.

3) Rehabilitated nursing facilities participating in SLF shall have separate staff on-site in the SLF.

m) Health Promotion and Exercise Programming

1) The SLF shall offer and encourage the use of health promotion and exercise programs for its residents.

2) The SLF shall develop programs to be held not less frequently than three times per week geared toward promoting better health and fitness of the residents. These programs are in addition to the social and recreational programming described in this Section.

n) Emergency Call System

1) At least two electronic devices shall be available in each apartment to enable the resident to secure help in an emergency. One device shall be located in each bathroom. The second device shall be located in the bedroom.

2) Electronic devices shall be available in each common area and each laundry room for resident use to enable residents to secure help in an emergency.

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(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.235 StaffingEMERGENCY

- a) The SLF shall ensure that a manager shall be at the SLF during normal business hours plus whenever necessary to ensure attention to the management and administration of the resident contracts. Staff shall have access to the manager or the manager's designee at all times.
- b) The manager shall have at least five years experience in providing health care services to adults with disabilities or the elderly population either in an assisted living program, inpatient hospital, long term care setting, adult day care or in a Department approved health related field. The manager shall also have at least two years of progressive management experience.
- c) Licensed and certified staff sufficient in number to meet the needs of residents in conjunction with the contractual agreements shall be provided.
- d) Nursing facility staff may be utilized in a rehabilitated nursing facility but may not be on duty in both the nursing facility and SLF at the same time.
- e) Staff shall receive documented training by qualified individuals in their area or areas of responsibility. Training shall be geared toward the manner in which services are to be performed and include techniques for working with persons with disabilities and the elderly populations. This training may have occurred prior to employment with the SLF or may occur after employment begins. In any case, the training shall take place no later than 30 days after beginning employment with the SLF. Staff shall be provided with and the SLF shall provide evidence of semi-annual training in areas related to their employment. All training materials shall be available for review by the Department.
- f) The SLF shall employ certified nursing assistants who are at least 18 years of age and comply with the following:

1) Qualifications:

Must have successfully completed, or be enrolled in and actively pursuing completion of, a nursing assistant training course or a Department of Public Health approved equivalent training and competency evaluation.

2) Job responsibilities shall include, but not be limited to:

- A) Follow and help carry out a resident's written service plan;
- B) Provide personal care services for residents, including but not limited to bathing, eating, dressing, personal hygiene, grooming, toileting, ambulation and assistance with transfer;
- C) Observe the resident's functioning, maintain written records of the observations and report any changes to the licensed

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(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.240 Resident ContractEMERGENCY

- a) The SLF shall ensure that a manager shall be at the SLF during normal business hours plus whenever necessary to ensure attention to the management and administration of the resident contracts. Staff shall have access to the manager or the manager's designee at all times.
- b) The manager shall have at least five years experience in providing health care services to adults with disabilities or the elderly population either in an assisted living program, inpatient hospital, long term care setting, adult day care or in a Department approved health related field. The manager shall also have at least two years of progressive management experience.
- c) Licensed and certified staff sufficient in number to meet the needs of residents in conjunction with the contractual agreements shall be provided.
- d) Nursing facility staff may be utilized in a rehabilitated nursing facility but may not be on duty in both the nursing facility and SLF at the same time.
- e) Staff shall receive documented training by qualified individuals in their area or areas of responsibility. Training shall be geared toward the manner in which services are to be performed and include techniques for working with persons with disabilities and the elderly populations. This training may have occurred prior to employment with the SLF or may occur after employment begins. In any case, the training shall take place no later than 30 days after beginning employment with the SLF. Staff shall be provided with and the SLF shall provide evidence of semi-annual training in areas related to their employment. All training materials shall be available for review by the Department.
- f) The SLF shall employ certified nursing assistants who are at least 18 years of age and comply with the following:

1) Qualifications:

Must have successfully completed, or be enrolled in and actively pursuing completion of, a nursing assistant training course or a Department of Public Health approved equivalent training and competency evaluation.

2) Job responsibilities shall include, but not be limited to:

- A) Follow and help carry out a resident's written service plan;
- B) Provide personal care services for residents, including but not limited to bathing, eating, dressing, personal hygiene, grooming, toileting, ambulation and assistance with transfer;
- C) Observe the resident's functioning, maintain written records of the observations and report any changes to the licensed

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.240 Resident ContractEMERGENCY

- a) The SLF shall have a signed contract with each resident which specifies the terms of his or her agreement.
- b) The resident contract shall include, but not be limited to, the following:

- 1) Information regarding SLF services the resident will receive that are covered under Medicaid;
- 2) Arrangements for payment;
- 3) A grievance procedure that meets the requirements of Section

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146.260;

- 4) The SLF's agreement to comply with applicable federal, State and local laws and regulations;
 - 5) The conditions under which the resident contract may be terminated by either party;
 - 6) Rules for conduct and behavior of the staff, management and the resident; and
 - 7) A list of the resident rights as stated in Section 146.250.
- c) The resident contract may include the agreement of the SLF to provide, for a fee, additional services such as barber or beauty services, sundries for personal consumption and other amenities.
- d) The resident contract shall be for a term not to exceed one year and may be renewable upon the agreement of both parties.
- e) The resident contract shall address arrangements where two individuals wish to share an apartment even if one of the two individuals is not eligible for SLF services. The individuals may be related or unrelated. In the event of one resident's death or discharge, the resident contract shall include provisions that offer the remaining resident who is not receiving SLF services the option to be released from the contract immediately, if desired by the resident, or to remain in the SLF until the expiration of the resident contract as long as he or she remains in compliance with the terms of the resident contract.
- f) The SLF shall ensure that all SLF materials, including the resident contract, shall be in a language appropriate to the resident population. Materials shall also be available in large print, as applicable.

(Source: Added by rule at 21 Ill. Reg. 13898, effective October 1, 1997, for a maximum of 150 days)

Section 146.245 Assessment and Service Plan and Quarterly Evaluation

EMERGENCY

- a) Assessment: The SLF provider shall conduct a standardized interview geared toward the resident's service needs at or before the time of occupancy. The SLF shall complete an assessment within 24 hours of admission and annually thereafter. The assessment shall be completed by, or co-signed by, a registered nurse.
- b) Service Plan: A written service plan shall be developed within seven days after completion of the assessment by, or co-signed by, a registered nurse, with input from the resident and his or her designated representative. The service plan shall include a description of expected outcomes, approaches, frequency and duration of services provided and whether the services will be provided by licensed or unlicensed staff. The service plan shall document any services recommended by the SLF that are refused by the resident. The service plan shall be reviewed and updated in conjunction with the

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quarterly evaluation or as dictated by changes in resident needs or preferences.

- c) Quarterly Evaluation: A quarterly evaluation of the health status of each resident using a Department designated form or the MDS quarterly shall be completed by, or co-signed by, a registered nurse.
- d) The SLF shall have procedures in place to alert the resident, his or her physician and his or her representative, as designated, when a change in a resident's mental or physical status is observed by staff. Such reporting shall be within 24 hours after observation. The SLF staff shall be responsible for reporting only those changes that should be apparent to observers familiar with the conditions of older persons and persons with disabilities.

(Source: Added by emergency rule at 21 Ill. Reg. 13899, effective October 1, 1997, for a maximum of 150 days)

Section 146.250 Resident Rights

EMERGENCY

- a) Residents shall be afforded all rights guaranteed under the Constitutions of the United States and Illinois, Federal, State and local statutes and the Department's administrative rules.
- b) Residents shall be informed of all rights in conjunction with any contracted housing and services.
- c) Each resident shall have the right to:
 - 1) Be free from mental, emotional, social, and physical abuse and neglect and exploitation;
 - 2) All housing and services for which he or she has contracted and paid;
 - 3) Have his or her records kept confidential and released only with his or her consent or in accordance with applicable law;
 - 4) Have access to his or her records with 48 hours notice (excluding weekends and holidays);
 - 5) Have his or her privacy respected;
 - 6) Refuse to receive or participate in any service or activity once the potential consequences of such refusal have been explained to the resident and a negotiated risk agreement has been reached between the resident, his or her designated representative and the service provider, so long as others are not harmed by the refusal;
 - 7) Arrange and receive non-Medicaid covered services not available from the contracted SLF service provider at the resident's expense so long as the resident does not violate conditions specified in the resident contract;
 - 8) Remain in the SLF, foregoing recommended or needed services from the SLF or available from others. A resident electing to remain without recommended or needed services shall acknowledge that the decision was made against the advice of the SLF, family or health

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care professional and shall indemnify the SLP from any liability resulting from adverse outcomes specifically associated with the decision to forgo recommended service. The SLP shall retain the right to advise a resident that the right to remain in place is restricted, as explicitly stated in the resident contract. Such indemnity agreements shall be specific to the assumed risk negotiated and do not waive general obligations of providers.

9) Be free of physical restraints unless required during an emergency;

10) Control his or her time, space, and lifestyle to the extent the health, safety and well-being of others are not disturbed;

11) Consume alcohol and use tobacco in accordance with SLP policy specified in the resident contract and any applicable statutes;

12) Have visitors of his or her choice to the extent the health, safety and well-being of others are not disturbed and the provisions of the resident contracts are upheld;

13) Have roommates only by resident choice;

14) Be treated at all times with courtesy, respect and full recognition of personal dignity and individuality;

15) Make and act upon decisions (except those decisions delegated to a legal guardian) so long as the health, safety and well-being of others are not endangered by his or her actions;

16) Participate in the development, implementation and review of his or her service plans;

17) Maintain personal possessions to the extent they do not pose a danger to the health, safety and well-being of the resident and others;

18) Store and prepare food in his or her apartment to the extent the health, safety and well-being of the resident and others is not endangered and provisions of the resident contract are not violated;

19) Designate or accept a representative to act on his or her behalf;

20) Not be required to purchase additional services that are not part of the resident contract; and

21) Not be charged for additional services unless prior written notice is given to the resident of the amount of the charge.

(Source: Added by emergency rule at 21 Ill. Reg. **13875**, effective October 1, 1997, for a maximum of 150 days)

Section 146.255 Discharge Criteria EMERGENCY

a) If a resident does not meet the terms for occupancy as stated in the resident contract, discharge proceedings shall not commence until there has been discussion with the resident or his or her designated representative concerning the reason for involuntary discharge.

b) The SLP shall provide a resident with 30 days written notice of

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proposed discharge unless such a delay might jeopardize the health, safety, and well-being of the resident or others.

c) The SLP shall prepare plans to ensure safe and orderly discharge and protect resident health, safety, welfare and rights.

d) A resident may be involuntarily discharged only if one or more of the following occurs:

1) He or she poses an immediate threat to self or others;

2) He or she needs mental health services to prevent harm to self or others;

3) He or she has breached the conditions of the resident contract.

4) The SLP has had its certification terminated, suspended, not renewed, or has voluntarily surrendered its certification.

5) The SLP cannot meet the resident's needs with available support services.

6) The resident has received proper notice of failure to pay by the SLP. This subsection (d)(6) does not apply to Medicaid residents when the failure to pay relates to the Medicaid payment.

e) The notice required in subsection (b) of this Section shall not apply in any of the following instances:

1) When an emergency discharge is mandated by the resident's health care or mental health needs and is in accord with the written orders and medical justification of the attending physician.

2) When the discharge is mandated to ensure the physical safety of the resident and other residents as documented in the resident record.

f) The notice required in subsection (b) of this Section shall be on a form prescribed by the Department and shall contain all of the following:

1) The stated reason for the proposed discharge;

2) The effective date of the proposed discharge;

3) A statement in not less than 14-point type, which reads: "You have a right to appeal the SLP's decision to discharge you. You may file a request for a hearing with the Department within ten days after receiving this notice. If you request a hearing, you will not be discharged during that time unless you are unsafe to yourself or others. If the decision following the hearing is not in your favor, you will not be discharged prior to the expiration of 30 days after receipt of the original notice of the discharge unless you are unsafe to yourself or others. A form to appeal the SLP's decision and to request a hearing is attached. If you have any questions, call the Department at the telephone number listed below."

4) A hearing request form, together with a postage paid, preaddressed envelope to the Department; and

5) The name, address, and telephone number of the person charged with the responsibility of supervising the discharge.

g) A request for hearing made under subsection (f) of this Section shall stay a discharge pending a hearing or appeal of the decision, unless a

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condition which would have allowed discharge in less than 30 days as described under subsections (e)(1) and (2) of this Section develops in the interim.

- h) A copy of the notice required by subsection (b) of this Section shall be placed in the resident's record and a copy shall be transmitted to the resident or the resident's designated representative.
- i) When nonpayment is the basis for involuntary discharge, the resident shall have the right to redeem up to the date that the discharge is to be made and then shall have the right to remain in the SLF.
- j) In determining whether a discharge is justified, the burden of proof in the hearing rests with the entity requesting the discharge.
- k) If the Department determines that a discharge is justified under subsection (d) of this Section, the resident shall not be required to leave the SLF before the tenth day after receipt of the Department's decision unless a condition which would have allowed discharge as described under subsections (e)(1) and (2) of this Section develops in the interim.
- l) The SLF shall offer relocation assistance to residents discharged under this Section, including information on available alternative placements. A resident or his or her designated representative shall be involved in planning the discharge and shall choose among the available alternative placements. Where an emergency makes prior resident involvement impossible, the SLF may arrange for a temporary placement until a final placement can be arranged. The SLF may offer assistance in relocating from a temporary to a final placement. When a resident discharges on a voluntary basis, he or she shall provide the SLF with 30 days written notice of intent to discharge, except where a delay would jeopardize the health, safety, and well-being of the resident or others.
- m) In cases of discharge under subsection (d), (e), (m) or (o) of this Section, the resident is no longer bound by the resident contract.
- n) The Department may discharge any resident from an SLF when any of the following conditions exist:
 - 1) The Department has terminated or suspended the SLF certification.
 - 2) The SLF is closing or surrendering its certification and arrangement for relocation of the resident has not been made at least 30 days prior to closure or surrender.
 - 3) The Department determines that an emergency exists which requires immediate discharge of the resident.
- p) In the event of a Department initiated discharge, the Department may offer relocation assistance to residents. A resident or his or her designated representative shall be involved in planning the discharge and shall choose among the available alternative placements.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.260 Grievance Procedure

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EMERGENCY

- a) The SLF shall establish a grievance procedure for reviewing grievances registered by, or on behalf of, all residents. All residents shall be informed that a grievance procedure exists.
- b) Records shall be maintained and made available to the Department on all written grievances and the response and disposition of such grievances by the SLF.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.265 Records RequirementsEMERGENCY

- a) Each SLF shall develop and maintain confidential written resident records which shall include, but are not limited to:
 - 1) Assessment;
 - 2) Resident contract;
 - 3) Service plan;
 - 4) Progress notes that shall be used to document any significant involvement with the resident and results of and changes in the service plan; and
 - 5) Resident satisfaction survey.
- b) Each SLF shall develop and maintain confidential written personnel records that shall include, but are not limited to:
 - 1) Job description;
 - 2) Educational preparation and work experience;
 - 3) Current licensure or certification, if applicable;
 - 4) Documentation of annual performance evaluation;
 - 5) Documentation that employee has received personnel policies and procedures;
 - 6) Documentation of on-going staff training; and
 - 7) Documentation of a tuberculosis test administered annually which indicates the absence of active tuberculosis.
- c) The SLF shall be responsible for generating and submitting to the Department the following reports in a format and medium designated by the Department with the frequencies as specified:
 - 1) Personnel Report, which shall be due initially and semi-annually thereafter. The report shall contain a list of all SLF staff listing the names, titles, salaries, and total hours worked during the semi-annual period. This listing shall include the services to be performed and services outside of the service package.
 - 2) Resident Identification Report, which shall be due monthly. The report shall be in two parts, one for Medicaid residents and one for private pay residents. Each part shall contain an alphabetical list of residents residing in the SLF, including

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their names, case identification and recipient numbers for Medicaid residents or Department designated identifying numbers for private pay residents, dates of admission and dates of discharge.

- 3) Utilization Data Report, which shall be due quarterly. The report shall be in two parts, one for Medicaid residents and one for private pay residents. Each part shall be organized alphabetically by resident and include a listing of all services provided to residents. For each resident, data shall include case identification and recipient numbers for Medicaid residents or Department designated identifying numbers for private pay residents, dates of service, service codes and units of service. Services reported for each resident shall be grouped by those services which were delivered by the SLF and those delivered by subcontractors.

- 4) Health Care Related Subcontractors and Manager Report, which shall be due initially and as changes occur thereafter.
- 5) Financial Statements, which shall be due annually.

- d) Retention of all records shall be in accordance with provisions of 89 Ill. Adm. Code 140.28, the Federal Privacy Act (5 U.S.C. Section 552a), the Freedom of Information Act [5 ILCS 140], the Comptroller Act [30 ILCS 505] and the State Public Records Act [5 ILCS 160]. The SLF shall provide the Department or its designee with access to financial and other records which pertain to covered services. The SLF shall keep separate fiscal records in accordance with acceptable accounting procedures.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.270 Quality Assurance Plan**EMERGENCY**

Each SLF shall be responsible for establishing an effective, internal quality assurance plan that encompasses oversight and monitoring, peer review, utilization review, resident satisfaction and ongoing quality improvement and implementation of any corrective action plans that address improved quality services. The quality assurance plan shall include:

- a) Results of the resident satisfaction survey identified in Section 146.215 and responses to resident concerns.
- b) Evaluation of care and services pursuant to accepted standards and practices and the service needs of the resident population.
- c) Tracking of improvements based on care outcomes such as changes in activities of daily living, resident response to services and other indicators of service quality listed in subsection (d) of this Section.
- d) A system of indicators of service quality measuring:
 - 1) Quality of services provided;

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- 2) Resident rating of the services, including food service;
- 3) Cleanliness and furnishings of the common area;
- 4) Service availability;
- 5) Adequacy of service provision and coordination;
- 6) Provision of safe environment;
- 7) Socialization activities; and
- 8) Resident autonomy which includes:
 - A) Protection of resident rights;
 - B) Provision of appropriate oversight for vulnerable residents; and
 - C) Resident exercise of personal autonomy and choice.

- e) Procedures for preventing, detecting and reporting resident neglect and abuse.
- f) Development of objectives for improving service quality, including the service quality indicators and measures to determine when objectives are met.

- g) Evidence of ongoing quality improvements as a result of the quality review data.
- h) A committee formed to organize and proceed with the required reviews for both the health care professionals and social service providers of the SLF staff or to serve in a contractual relationship with the SLF which shall include:

- 1) A regular schedule for review, and
- 2) A system to evaluate the process and methods by which care is given by specific providers in accordance with the service plan developed by the SLF licensed nursing staff and approved by the resident.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.275 Monitoring**EMERGENCY**

- a) Monitoring and any oversight of the SLF shall be conducted by the Department or its designee.

- b) Designated Department staff shall coordinate the program, provide technical assistance and monitor compliance no less often than annually according to the items identified in Section 146.215(d)(3).

- c) The Department shall investigate all complaints within seven days after receipt from a resident, a resident's designated representative or others expressing concern related to the health and safety of the residents. The Department reserves the right to conduct a full certification review or to make referrals to other appropriate entities for additional action if the results of a complaint investigation indicate the need to do so.

- d) An SLF shall not restrict or hamper access by Department designated staff to the building, residents or designated records required to

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conduct routine or periodic reviews or investigations. A resident may limit access to his or her private dwelling space to inspectors, except for suspected violations that may pose a threat to the resident's or others' health, safety or well-being. A resident may also elect to limit access to himself or herself and his or her records, except as required as a condition of payment for housing and services by a third party.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.280 Termination or Suspension of SLF Provider Agreement

EMERGENCY

- a) The Department may terminate or suspend or not renew the provider agreement subject to the provisions of 89 Ill. Adm. Code 140.16.
- b) In the event that a SLF is found to be out of compliance with certification requirements during an on-site certification review or complaint investigation, the following procedure shall be used:

- 1) The Department shall mail a written notice to the SLF within ten days after the conclusion of the on-site review giving the SLF 30 days to correct the non-compliance issue or issues, unless the non-compliance involves immediate jeopardy to the health and safety of residents.

- 2) For non-compliance involving immediate jeopardy, the Department shall provide a written notice to the SLF within five days after the conclusion of the on-site review giving the SLF ten days to correct the non-compliance issue or issues. The immediate jeopardy must be corrected within ten days after the date of receipt of the notice. No extension of the ten day period shall be granted.

- 3) The SLF shall mail a written notice to the Department within 30 days after the date of the Departmental notice of non-compliance notifying the Department that the non-compliance issue or issues are corrected or requesting an extension of the 30 day period to a specific date with any explanation or documentation necessary to justify the extension.

- 4) The Department shall mail a written decision to the SLF within ten days after receipt of the request to extend the 30 day correction period.

- 5) The Department shall conduct the first follow-up review within 10 days after the conclusion of the 10 day immediate jeopardy correction period or within 30 days after the SLF notice date for other non-compliance issues.

- 6) In cases of immediate jeopardy, if the first follow-up review continues to show immediate jeopardy, the Department shall take action to suspend or terminate the provider agreement according to 89 Ill. Adm. Code 104.200. In cases of immediate jeopardy,

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where the first follow-up review shows that the immediate jeopardy has been abated, but other non-compliance issues exist, the facility shall be granted a further 30 day period to correct the non-compliance issues.

- 7) If the first 30 day follow-up review continues to show non-compliance, the facility shall be granted a second 30 day period to correct the non-compliance issues.

- 8) The SLF shall have 30 days to correct any new non-compliance issues cited during a follow-up survey.

- 9) The SLF shall be required to submit a written notice identified in subsection (b)(3) of this Section prior to the Department conducting a second or any subsequent follow-up survey.

- 10) If the second follow-up review continues to show non-compliance with previously cited issues, the Department shall take action to suspend or terminate the provider agreement according to 89 Ill. Adm. Code 104.200.

- c) The Department will continue to make payments during the pendency of the administrative proceedings set forth in subsection (b) of this Section until a final administrative decision terminating or suspending the provider agreement is issued, for services rendered to Medicaid residents residing in the SLF on the date of the Department's notice sent pursuant to subsection (b) of this Section. If a final administrative decision terminating or suspending the provider agreement is issued, payments for such services rendered to such persons will cease as of the date the decision is issued, and shall recommence only if and when the SLF is recertified as being in compliance with program requirements.

- d) The SLF shall not admit any new residents after receipt of the notice sent pursuant to subsection (b) of this Section. New admissions may recommence only if and when the SLF has been recertified as being in compliance with program requirements.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

Section 146.285 Voluntary Surrender of Certification

EMERGENCY

A SLF shall inform the Department in writing if it intends to voluntarily surrender its certification from the Medicaid program. The notification shall be received by the Department at least 90 days prior to the date of surrender. The Department will make SLF payments only through the day prior to the effective date of voluntary surrender. Notice by the SLF shall be given to residents pursuant to Section 146.255.

(Source: Added by emergency rule at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days)

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1) Heading of the Part: Health Care Facility Plan Review Code

2) Code Citation: 77 Ill. Adm. Code 290

3) Section Numbers: Proposed Action:

290.100	New Section
290.200	New Section
290.300	New Section
290.400	New Section
290.500	New Section
290.600	New Section
290.700	New Section
290.800	New Section
290.900	New Section

4) Statutory Authority: Section 8 of the Ambulatory Surgical Treatment Center Act [210 ILCS 5/8], Section 3-202.5 of the Nursing Home Care Act [210 ILCS 45/3-202.5], and Section 8 of the Hospital Licensing Act [210 ILCS 85/8].

5) Effective Date of Rule: October 1, 1997

6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which they expire: N/A

7) Date Filed in Agency's Principal Office: October 1, 1997

8) Reason for Emergency: These emergency rules are being adopted to implement Public Act 90-327 (the Act), effective August 8, 1997, which allows the Department to charge a fee for the review of drawings and specifications for construction of new hospitals, long-term care facilities, and ambulatory surgical treatment centers and for alterations or additions to existing facilities that involve major construction or have an estimated cost greater than \$5,000. The Act establishes a fee structure, based on the estimated cost of construction, and establishes the Health Facility Plan Review Fund. Moneys are to be appropriated from the Fund to the Department to pay the costs of conducting reviews of project plans under the Act.

The Act applies only to drawings and specifications submitted to the Department on or after October 1, 1997. The Act requires the Department to approve or disapprove drawings and specifications no later than 60 days following their receipt by the Department, provided that the drawings and specifications are of sufficient detail to enable the Department to determine whether they comply with design and construction standards. If the Department has not approved or disapproved the drawings and specifications within 60 days, the construction, major alteration, or addition shall be "deemed" approved.

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The Department must implement the new plan review process under the Act on October 1, 1997. The Act requires rulemaking to define the types of projects that qualify for the process, the materials that must be submitted for review, and procedures for inspections. The Act amends the Nursing Home Care Act, the Hospital Licensing Act, and the Ambulatory Surgical Treatment Center Act to establish the new plan review process for qualified construction projects in facilities licensed under those Acts. Rulemaking implementing changes in these Acts must be considered and/or approved by the Long-Term Care Facility Advisory Board, the Hospital Licensing Board, and the Ambulatory Treatment Center Licensing Board, respectively. The time frame between the signing of the legislation on August 8, 1997, and the statutory implementation date on October 1, 1997, precludes the use of the proposed rulemaking process, including Board review. The Long-term Care and Hospital Boards are scheduled to meet in November, and a meeting of the ASTC Board will be scheduled. The corresponding proposed rules will be considered by the Boards at those meetings and will be published shortly thereafter.

Failure to adopt these rules prior to October 1, 1997, would create a threat to the public health, safety and welfare. If the Department does not approve or disapprove a project submission within 60 days, the project is "deemed approved", which means that the facility can proceed with the project without Department approval and without a Department inspection to determine compliance with design and construction standards set forth in the Department's licensure rules. A facility could be built, added to, or remodeled without any determination as to whether the project complies with the life safety (including fire safety) requirements. The Act also precludes the Department from issuing a violation if a subsequent licensure or complaint survey reveals noncompliance with physical plant requirements. To ensure that such requirements are met when the facility is built, added to, or remodeled, the Department review must be accomplished in a timely manner. Therefore, the Department must be prepared to implement this program on October 1, 1997.

9) A Complete Description of the Subjects and Issues Involved: The rules contain definitions, applicability provisions, general compliance requirements; provisions governing Department review and approval of specifications and drawings; procedures for calculating and submitting the required fee; requirements for the content of program narratives and architectural drawings; and procedures for interim and final inspections. Proposed rules, and any necessary amendments to the licensure rules, will be published following review and/or approval by the advisory/licensing boards.

10) Are there any proposed amendments to this Part Pending? No

11) Statement of Statewide Policy Objectives: This rulemaking requires facilities to pay a fee for plan review, based on the estimated cost of a

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construction project.

12) Information and questions regarding these rules shall be directed to:

Name: Ms. Gail DeVito
Address: Division of Legal Services
Illinois Department of Public Health
535 West Jefferson Street; Fifth Floor
Springfield, Illinois 62761
Telephone: (217)782-2043

The full text of the emergency rules begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 290

HEALTH CARE FACILITY PLAN REVIEW CODE

Section	Definitions
290.100	EMERGENCY
290.200	Applicability
EMERGENCY	
290.300	General Compliance Requirements
EMERGENCY	
290.400	Review and Approval of Specifications and Drawings
EMERGENCY	
290.500	Fee Calculation and Submission
EMERGENCY	
290.600	Program Submission
EMERGENCY	
290.700	Drawing Submission
EMERGENCY	
290.800	Interim Inspection
EMERGENCY	
290.900	Final Inspection
EMERGENCY	

AUTHORITY: Implementing and authorized by Section 8 of the Ambulatory Treatment Center Act [210 ILCS 5/8], Section 3-202.5 of the Nursing Home Care Act [210 ILCS 45/3-202.5] and Section 8 of the Hospital Licensing Act [210 ILCS 85/8].

SOURCE: Emergency rules adopted at 21 Ill. Reg. 13908, effective October 1, 1997, for a maximum of 150 days.

Section 290.100 Definitions

EMERGENCY

The following definitions apply to terms used in this part:

Addition - construction that adds square footage to a structure, such as construction of a wing, a floor, or a canopy.

Alteration - construction that includes but is not limited to changes or modifications of equipment; movement of walls; replacement of all or part of the fire alarm system, electrical system, nurse call system, sprinkler system, or heating, ventilation and air conditioning

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Substantial compliance - meeting requirements except for minor deficiencies that will not affect the health, safety and welfare of the patients/residents.

Section 290.200 Applicability
EMERGENCY

- a) The requirements of this Part shall apply to health care facilities licensed by the Department in accordance with the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, and the Nursing Home Care Act.
- b) The requirements of this Part shall apply to the submission of all fees, drawings and specifications for the following projects involving major construction or with an estimated cost greater than \$5,000 (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act):
 - 1) New buildings or portions thereof used as health care occupancies;
 - 2) Additions made to, or used as, a health care occupancy;
 - 3) Alteration, modernization, or renovation of existing health care occupancies;
 - 4) Existing buildings or portions thereof upon change of occupancy to a health care occupancy.
- c) This Part shall apply only to drawings and specifications submitted to the Department on or after October 1, 1997. (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- d) Department review of projects that constitute cosmetic alterations, routine maintenance, or immediate equipment replacement will be expedited. Immediate equipment replacement will be required when equipment failure threatens the health or safety of patients/residents.

Section 290.300 General Compliance Requirements
EMERGENCY

- a) Drawings and specifications submitted to the Department for review and approval in accordance with this Part shall be developed in compliance with applicable licensure rules:
 - 1) Hospital Licensing Requirements (77 Ill. Adm. Code 250)
 - 2) Ambulatory Surgical Treatment Center Licensing Requirements (77 Ill. Adm. Code 205);
 - 3) Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300);
 - 4) Sheltered Care Facilities Code (77 Ill. Adm. Code 330);
 - 5) Illinois Veterans' Homes Code (77 Ill. Adm. Code 340);
 - 6) Intermediate Care for the Developmentally Disabled Facilities

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(hvac) system; demolition and rebuilding of a wing or part of a wing; installation of special locking arrangements; installation of a smoke detection system or smoke detectors; relocation or addition of sprinkler heads; installation or replacement of a nurses' station; changing a resident bedroom into a special care room; and installation or replacement of a bathing fixture.

Ambulatory surgical treatment center (ASTC) - a facility licensed by the Department in accordance with the Ambulatory Surgical Treatment Center Act [210 ILCS 5].

Applicant - an entity desiring to participate in the review program established by this Part.

Cosmetic Alterations - alterations that entail the replacement of existing finishes and minor alterations such as replacement of cabinet work, doors, and windows. The applicant need only submit a narrative, manufacturer's literature and cost figures, without the use of an architect.

Estimated project fee - the fee charged by the Department for review of the project specifications and drawings, in accordance with Section 290.500 of this Part.

Facility or health care occupancy - a hospital, long-term care facility or ASTC.

Hospital - a facility licensed by the Department in accordance with the Hospital Licensing Act [210 ILCS 85].

Long-term care facility - a facility licensed by the Department in accordance with the Nursing Home Care Act [210 ILCS 45].

Major construction - any construction project that adds beds, adds services, affects the structure (e.g., changes floors or beams, removes columns, adds structural bays, removes floors to add elevator or stair shafts), affects existing services, affects life safety, modifies existing operations (e.g., adds operating rooms or recovery bays, or changes recovery area to physical therapy), or has a direct impact on the patients'/residents' health (e.g., compromises fire alarms or water supply, requires the presence of construction workers in restricted areas).

Modernization - See Alteration.

Modification - See Alteration.

Renovation - See Alteration.

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Code (77 Ill. Adm. Code 350); or

- 7) Long Term Care for Under Age 22 Facilities Code (77 Ill. Adm. Code 390).
- b) Additions shall meet all requirements for new construction set forth in the applicable licensure rules, and shall be separated from any existing structure not meeting the requirements for new construction by a two-hour fire barrier, in accordance with the applicable licensure rules.
- c) Conversions from one type of health care occupancy to another or from one type of nursing function (e.g., pediatric care, orthopedic care, intensive care) to another shall be considered a change in occupancy and shall meet the requirements established for new construction under the applicable licensure rules.
- d) Renovations, alterations, and modernizations shall comply, to the extent practical, with the requirements for new construction contained under the applicable licensure rules. For example, compliance that would compromise life safety or impinge on meeting requirements in other areas, such as widening corridors that would result in smaller bedrooms, would be beyond the extent practical.
- e) In facilities licensed under more than one licensure code, each separately licensed portion of the facility shall be physically separated from the other licensed portions by a two-hour fire barrier, and shall meet the requirements for new construction in accordance with the applicable licensure rules.
- f) No system of water supply, plumbing, sewage, garbage or refuse disposal shall be installed, nor any such existing system materially altered or extended, until all fees, complete plans and specifications for the installation, alteration or extension have been submitted to the Department and have been reviewed and approved.

Section 290.400 Review and Approval of Specifications and Drawings EMERGENCY

- a) The Department shall approve or disapprove drawings and specifications submitted to the Department no later than 60 days following receipt by the Department. The drawings and specifications shall be of sufficient detail, as provided in this Part, to enable the Department to render a determination of compliance with design and construction standards as set forth in the applicable licensure rules. (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act) When the documentation submission and the fee submission have been found to be complete, the applicant will be notified, and the 60 day review period will commence.
- b) If the Department finds that the drawings are not of sufficient detail for it to render a determination of compliance, the plans shall be determined to be incomplete and shall not be considered for purposes of initiating the 60 day review period. (Section 8 of the Ambulatory

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- Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act) The Department shall return incomplete plans to the applicant with written comments. The Department shall deposit and hold the fee until the documentation or the adjusted fee has been submitted and approved.
- c) If the Department has not approved or disapproved the drawings and specifications within 60 days, the construction, major alteration, or addition shall be deemed approved. (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- d) If the drawings and specifications are disapproved, the Department shall state in writing, with specificity, the reasons for the disapproval. (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- e) The entity submitting the drawings and specifications may submit additional information in response to the written comments from the Department or request a reconsideration of the disapproval. A final decision of approval or disapproval shall be made within 45 days of the receipt of the additional information or reconsideration request. If the request is denied, the Department shall state the specific reasons for the denial. (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- f) The Department shall treat every drawing submission as a project submission.
- g) The 60 day review period will commence upon determination of completeness of each drawing submission, and will be restarted each time an additional drawing is submitted for the project. No fee will be required for resubmission.

Section 290.500 Fee Calculation and Submission EMERGENCY

- a) The Department shall charge the following fees in connection with its reviews conducted before June 30, 2000 under this Part:
 - 1) If the estimated dollar value of the alteration, addition, or new construction is \$5,000 or more but less than \$25,000, the fee shall be the greater of \$300 or 6% of that value.
 - 2) If the estimated dollar value of the alteration, addition, or new construction is \$25,000 or more but less than \$100,000, the fee shall be the greater of \$1,500 or 2.4% of that value.
 - 3) If the estimated dollar value of the alteration, addition, or new construction is \$100,000 or more but less than \$500,000, the fee shall be the greater of \$2,400 or 1.2% of that value.
 - 4) If the estimated dollar value of the alteration, addition, or new construction is \$500,000 or more but less than \$1,000,000, the fee shall be the greater of \$6,000 or 0.96% of that value.

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- 5) *If the estimated dollar value of the alteration, addition, or new construction is \$1,000,000 or more but less than \$5,000,000, the fee shall be the greater of \$9,600 or 0.22% of that value.*
- 6) *If the estimated dollar value of the alteration, addition, or new construction is \$5,000,000 or more, the fee shall be the greater of \$11,000 or 0.11% of that value, but shall not exceed \$40,000.* (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- b) The fee shall be calculated based on the total project cost established pursuant to subsection (e) or (f) of this Section.
- c) *The fees provided in this Section shall not apply to major construction projects involving facility changes that are required by Department rule amendments.* (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- d) *The Department shall not commence the facility plan review process under this Part until the applicable fee has been paid.* (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- e) For projects requiring a Certificate of Need in accordance with the Illinois Health Facilities Planning Act (20 ILCS 3906), the supporting financial and Certificate of Need Approval documentation shall be submitted with the estimated fee.
- f) For those projects under the established Certificate of Need threshold and deemed to be nonreviewable by the Health Facilities Planning Board, the following supporting documentation shall be submitted with the estimated fee:
 - 1) Category of Service. A description of the services being added, the number of existing beds or existing services, the number of proposed beds or proposed services, and the change in the total number of beds or services.
 - 2) Square Foot Calculations. A description of the increase or decrease in area created by the project, including the number of floors and whether the project is an addition or new building, or renovation, alteration, or modernization of existing spaces.
 - 3) Estimated Project Costs. The estimated project costs are to be submitted, providing a cost figure under the following individual categories, and a total estimated project cost:
 - A) pre-planning costs,
 - B) site survey and soil investigation fees,
 - C) site preparation costs,
 - D) demolition costs,
 - E) off site work,
 - F) new construction contracts,
 - G) modernization contracts,
 - H) contingencies,
 - I) architectural/engineering fees,

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- J) consulting and other fees,
- K) movable capital equipment not included in construction contracts,
- L) bond issuance expenses,
- M) net interest expense,
- N) other capitalization costs, and
- O) acquisition of building or other property excluding land.
- g) Project Fee Adjustment Based on Construction. At the completion of the project construction, and prior to the final inspection for licensure, a statement of 95 percent completion shall be submitted incorporating the final project cost figures, including all changes and additions to the contract as identified in subsection (f)(3) above. An adjustment to the project fee shall be made and paid in full prior to the final inspection for licensure purposes. This process shall be repeated if the final inspection reveals additional costs not covered by the adjusted fee.
- h) Submission of Check. A cashiers check in the amount of the estimated fee calculated based on the estimated total project cost shall be submitted and made payable to the "Illinois Department of Public Health Facility Plan Review Fund," and shall have designated in the memo portion of the check whether it is for a long-term care facility, ambulatory surgical treatment center, or hospital.
- i) Fee Adjustment. The fee shall be adjusted at the completion of the project, when all of the final project costs have been obtained.
 - 1) If a reimbursement is necessary, a check shall be submitted by the Department to the licensed entity.
 - 2) If additional fees are needed, they shall be submitted to the Department prior to the final licensure inspection and occupancy of the project.

Section 290.600 Program Submission EMERGENCY

The following program items shall be submitted to the Department with the project cost analysis and estimated project fee.

- a) A functional program narrative and a systems program narrative, as follows:
 - 1) A functional program narrative for the facility that describes the purpose of the project; the projected demand and utilization; staffing patterns for each unit; departmental relationships; space requirements; and other basic information relating to fulfillment of the facility's objectives. The program narrative shall include a description of each function or service; the operational space required for each function; the quantity of staff or other occupants of the various spaces; the numbers (square feet), type and areas of all spaces; the special design features; the systems of operations; and the interrelationships of various functions and spaces. The functional program

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narrative shall include a description of those services necessary for the complete operation of the facility. Those services available elsewhere in the facility or community need not be duplicated. For hospitals, the functional program narrative shall also address the potential future expansion of essential services that may be needed to accommodate increased demand. The functional program narrative shall be available for use in the development of project design and construction documents.

- 2) A systems program narrative, where applicable, describing all special systems, including but not limited to fire alarms, nurse calls, special locking devices, and security packages.

b) Information identifying the following consultants where applicable:

- 1) Planner

Contact Person	Firm	Registration No.
Street Address		
City	State	Zip Code
Telephone Number () -		
Fax Number () -		
- 2) Architectural Firm

Contact Person	Project Architect
Street Address	Registration No.
City	State
Telephone Number () -	Zip Code
Fax Number () -	
- 3) HVAC Firm

Contact Person	Project Engineer
Street Address	Registration No.
City	State
Telephone Number () -	Zip Code
Fax Number () -	
- 4) Electrical Firm

Contact Person	Project Engineer
Street Address	Registration No.
City	State
Telephone Number () -	Zip Code
Fax Number () -	
- 5) Contractor Information

Contact Person	Project Manager
Street Address	Registration No.
City	State
Telephone Number () -	Zip Code
Fax Number () -	
- 6) Local Code Official Information

Municipality	Code Manager
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Reviewer Name	Discipline
Street Address	
City	State
Telephone Number () -	Zip Code
Fax Number () -	

- c) The following documentation describing the project where applicable:

- 1) Name and address of facility;
 - 2) Type of license;
 - 3) Certificate of Need Number;
 - 4) Brief project description including building, floor and wing, and type of unit;
 - 5) Whether the project is new construction or an addition, alteration, modernization, or renovation;
 - 6) Name of facility representative, phone number, and facsimile number;
 - 7) Local building code used, and year;
 - 8) Life Safety Code used, and year;
 - 9) Number of stories;
 - 10) Gross square feet per floor; and
 - 11) Building height in feet.
- d) A structural description, as follows, where applicable:
- 1) Local building code structural classification;
 - 2) National Fire Protection Association (NFPA) 220 structural classification;
 - 3) Roof assembly rating and Underwriters Laboratories (U.L.) number;
 - 4) Floor assembly rating and U.L. number;
 - 5) Beams assembly rating and U.L. number;
 - 6) Columns assembly rating and U.L. number;
 - 7) Girders assembly rating and U.L. number;
 - 8) Interior walls assembly rating and U.L. number; and
 - 9) Exterior walls assembly rating and U.L. number.
- e) Fire walls description where applicable:
- 1) One-hour fire rating U.L. assembly number;
 - 2) One-hour fire/smoke U.L. assembly number; and
 - 3) Two-hour fire rating U.L. assembly number.
- f) Through wall/through floor penetration description where applicable:
- 1) Slab to curtain wall fire rating and U.L. design numbers;
 - 2) Wall penetrations fire rating and U.L. design numbers; and
 - 3) Floor penetrations fire rating and U.L. design numbers.
- g) Sprinkler system description where applicable:
- 1) Define if full, partial, or none;
 - 2) Pounds per square inch (PSI) at end of line;
 - 3) Fire pump capacity; and
 - 4) Size of water main.
- h) Fire alarm system/emergency power description where applicable:
- 1) Type, direct fire department connection, coded system, supervisory, remote station, proprietary protective;
 - 2) Type of emergency power, generating set, uninterrupted power

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source, alternative source; and

- 3) Fuel storage capacity, gallons, hours of operation.

i) Exits and exit components description where applicable:

- 1) Travel distances, maximum room/suite to corridor, maximum room/suite to exit;
- 2) Maximum area of smoke barrier, maximum dimension;
- 3) Number of stairs, enclosure rating, discharge to the outside, discharge through building;
- 4) Corridor widths; and
- 5) Door widths.

Section 290.700 Drawing Submission

EMERGENCY

- a) When drawings are required, all drawing submissions shall be prepared under the direct supervision of an architect licensed in Illinois. The signature and seal shall be affixed to the plans and specifications.
- b) Code analysis drawing submission. A set of small scale plans identifying the following shall be submitted with every drawings submission:
 - 1) Fire and smoke compartmentation;
 - 2) All means of egress;
 - 3) Fire-rated walls;
 - 4) Travel distances from room to corridor door and from door to exit;
 - 5) Smoke barrier doors and dimensions;
 - 6) Standpipe locations;
 - 7) Fire extinguishers; and
 - 8) Exit lights.
- c) Design development drawings shall be prepared under the direct supervision of an architect licensed in Illinois and shall include the following where applicable:

- 1) A code analysis and project description work sheet;
- 2) Civil engineering plans, fully dimensioned to scale, providing existing grades, proposed improvements, site drainage, utilities, fire loops, parking layouts, and building siting including adjacent buildings;
- 3) Life safety drawings - updated small scale, dimensioned, code analysis drawings;
- 4) Architectural and structural drawings indicating in detail the following and drawn at a scale sufficiently large to present the proposed design clearly:

- A) Floor plans of each floor indicating the assignment of all spaces and the size of areas and rooms; and indicating in outline the fixed and movable equipment and furniture and proper clearances, columns and beam locations, bay spacing, windows, doors, and openings, corridor widths, smoke and

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fire barriers, stairs, elevators, and open spaces. All rooms shall be clearly identified in the plans as to the function they serve. Room schedules are not permitted; Exterior elevations, interior elevations, full building and partial building sections and details;

- B) Room finish schedules, door and window schedules;
 - D) All adjacent areas clearly labeled if an addition, alteration, modification, or renovation; and
 - E) Fire and separation drawings;
- 5) Outline specifications providing a general description of the construction including finishes; acoustical materials, and their extent and type; heating and ventilating systems; and the type of elevators;
 - 6) Total floor area and bed counts;
 - 7) Single line diagram electrical, mechanical, plumbing, fire alarm, compressed gasses, and medical gasses design schematics with calculations including cubic feet per minute (CFM) and air changes; and
 - 8) Construction phasing plans and demolition plans.
- d) Working drawings and specifications shall be prepared under the direct supervision of an architect licensed in Illinois and shall include the following where applicable:
 - 1) All working drawings shall be accurately dimensioned and include all necessary explanatory notes, schedules and legends.
 - 2) Working drawings shall be complete and accurate for contract purposes.
 - 3) Separate drawings and specifications shall be prepared for architectural, structural, mechanical, and electrical branches of work, and shall contain the following elements:
 - A) Architectural drawings:
 - i) A site plan showing all new topography, newly established levels and grades, existing structures on the site (if any), new buildings and structures, roadways, walks, and the extent of the areas to be landscaped. All structures and improvements that are to be removed under the construction contract shall be shown;
 - ii) Plan of each floor and roof;
 - iii) Elevations of each facade;
 - iv) Sections throughout the building;
 - v) Drawings of elevators and dumbwaiters, delineating shaft details and dimensions, sizes of cab platforms and doors, travel distances including elevation height of landings, pit sizes, location of sprinklers, and machine rooms;
 - vi) Kitchens, laundry, laboratories, special care areas, and similar areas shall be detailed at a scale to show the location, type, size and connection of all fixed

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- and movable equipment;
- vii) Scale details as necessary; scale details to 1 1/2 inches to the foot may be necessary to indicate portions of the work properly;
 - viii) Details of through wall penetrations, through floor penetrations, and slab to curtain wall details and U.L. design numbers; and
 - ix) Schedule of finishes, doors and windows.
- B) Structural drawings shall be prepared by a licensed structural engineer and shall contain the following:
- i) Plans of foundations, floors, roofs and all intermediate levels, showing a complete design with sizes, section, and the relative location of the various members. Schedule of beams, girders, and columns;
 - ii) U.L. design numbers and details for fire proofing of structural members, including the hourly rating specified for the fire proofing;
 - iii) Floor levels, column centers, and off-sets, dimensioned;
 - iv) Special openings and pipe sleeves, dimensioned or otherwise noted for easy reference;
 - v) Details of all special connections, assemblies and expansion joints;
 - vi) Notes on design data, including the name of the governing building code, values of allowable unit stresses, assumed live loads, wind loads, earthquake load, and soil-bearing pressures; and
 - vii) For special structures, a stress sheet, incorporated in the drawings, showing the outline of the structure, all load assumptions used, stresses and bending moments separately for each kind of loading, maximum stress and or bending moment for which each member is designed, horizontal and vertical reactions at column bases.
- C) Heating, cooling, and ventilation drawings shall be prepared by a licensed professional engineer and shall contain the following:
- i) Radiators, coils and steam-heated equipment such as sterilizers, warmers and steam tables;
 - ii) Heating and steam mains and branches with pipe sizes;
 - iii) Diagram of heating and steam risers with pipe sizes;
 - iv) Sizes, types and heating surfaces of boilers, furnaces with stokers and oil burners, if any;
 - v) Pumps, tanks, boiler breaching and piping and boiler room accessories;
 - vi) Air conditioning systems with required equipment, water and refrigerant piping, and ducts;

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- vii) Supply and exhaust ventilating systems with connections and piping;
 - viii) Air quantities for all room supply and exhaust ventilating duct openings, and their calculations;
 - ix) Identification of all filter beds and their percentage filtration, including remote indicators;
 - x) Identification of all smoke and fire dampers, installation details, and collars; and
 - xi) Identification of the hanging methodology for large ducts and air handling systems (sheet metal strap hangers are not allowed in large size ducting systems).
- D) Drawings for plumbing, drainage, standpipe and sprinkler systems shall be prepared under the supervision of a licensed professional engineer (P.E.) and shall include the following:
- i) Site work including water mains, sewer mains, gas mains, fire protection loops and hydrants. Size and elevation of street sewers, house sewers, house drains, street water main and water service into the building;
 - ii) Location and size of soil, waste, and vent stacks, with connections to house drains, clean-outs, fixtures and equipment;
 - iii) Location and size of standpipes, siamese connections, sprinkler risers, sprinkler heads and special systems, back-flow preventors, inspectors tests, main drains, end of the line tests, and fire pumps, including the hydraulic calculations;
 - iv) Size and location of hot, cold and circulating mains, branches, and risers from the service entrance, and tanks;
 - v) Riser diagrams of all plumbing stacks with vents, water risers and fixture connections;
 - vi) Gas, oxygen, vacuum, scavenger, and similar piped systems including pressure calculation, gas farm designs, manifold locations and protection, terminal points, and number of outlets per station; and
 - vii) All fixtures and equipment that require water and drain connections.
- E) Electrical drawings shall be prepared under the direction of a licensed P.E. and shall include the following:
- i) All electrical wiring, outlets, and equipment that require electrical connections;
 - ii) Electrical service entrance with switches and feeders to the public service feeders, characteristics of the light and power current, transformers and their connections if located in the building;

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- iii) Location of main switchboard, power panels, light panels, and equipment; feeder and conduit sizes shown with schedule of feeder breakers or switches;
 - iv) Light outlets, receptacles, switches, power outlets, and circuits;
 - v) Telephone layout showing service entrance, telephone switchboard, strip boxes, telephone outlets and branch conduits as approved by the telephone company. Where public telephones are used for intercommunication, separate room and conduits for racks and automatic switching equipment shall be provided as required by the telephone company;
 - vi) Nurse call systems with outlets for beds, duty stations, corridor signal lights, annunciators, wiring diagrams, and a narrative description of systems;
 - vii) Doctor call and doctor in-and-out systems with all equipment wiring, if provided, and a narrative description of systems;
 - viii) Fire alarm system with stations, signal devices, control board and wiring diagrams, and a narrative description of systems;
 - ix) Emergency electrical system with outlets, transfer switches, source of supply, feeders, fuel supplies, generators, and circuits, and a narrative description of systems;
 - x) All other electrically operated systems and equipment; and
 - xi) All design calculations for emergency and non-emergency systems.
- F) Specifications shall be submitted with every working drawings submission, shall supplement the drawings, and shall include the following:
- i) A complete description of the materials, workmanship, kind, sizes, capacities, finishes, and other characteristics of all materials, products, articles and devices;
 - ii) A cover or title sheet;
 - iii) An index;
 - iv) An invitation for bids;
 - v) General conditions;
 - vi) General requirements;
 - vii) Sections describing material and workmanship in detail for each class of work; and
 - viii) A bid form.
- e) The following additional information shall be submitted for additions, modifications and modernization/renovation of existing structures:
- 1) Type of activities within the existing building and distribution of existing beds;

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- 2) Type of construction of existing building and number of stories in height;
- 3) Plans and details showing attachment of the addition, modification or renovation to the existing structure;
- 4) Plans and details showing how the addition, modification or renovation affects the existing structure;
- 5) A copy of the construction phasing schedule, including the maintenance of exit routes, fire alarm systems, and fire protection systems;
- 6) A copy of the interim safety measures, including compliance with Life Safety Code requirements under the applicable licensure rules; and
- 7) Mechanical and electrical systems tying into existing systems.

Section 290.800 Interim Inspection**EMERGENCY**

The Department shall conduct interim on-site review of large or complex construction projects. (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)

- a) Inspection of construction projects that are not completed will be conducted if sections of the project are scheduled for occupancy prior to completion of the entire project or major components such as mechanical and electrical systems need to be inspected prior to the enclosure of the system by scheduled finishes.
- b) Mechanical and electrical inspections may occur prior to the final inspection based on the availability of the Department engineers and the complexity of the project. Mechanical and electrical inspections shall be prearranged at the start of the construction sequence.

Section 290.900 Final Inspection**EMERGENCY**

- a) *The Department shall conduct an on-site inspection of the completed project no later than 30 days after notification from the applicant that the project has been completed and after all certifications required by the Department have been received and accepted by the Department in accordance with subsection (d) of this Section.* (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- b) *The Department shall provide written approval for occupancy to the applicant within 5 working days of the Department's final inspection, provided the applicant has demonstrated substantial compliance with this Part and the applicable licensure rules. Occupancy of new major construction is prohibited until Department approval is received.* (Section 8 of the Ambulatory Surgical Treatment Center Act, Section

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- 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- c) *If the plans and drawings are deemed approved pursuant to Section 290.400(c) of this Part, occupancy shall be allowed after any required health inspection by the Department has been conducted.* (Section 8 of the Ambulatory Surgical Treatment Center Act, Section 3-202.5 of the Nursing Home Care Act, and Section 8 of the Hospital Licensing Act)
- d) The following pre-occupancy certifications shall be submitted to the Department prior to the scheduling of the final inspection of the project where applicable:

- 1) A copy of the architect's authorization for 95 percent payment of all construction contracts, unless contingencies in the contracts have not been met.
- 2) Certification by an independent testing laboratory of the flame spread rating; documentation by the installer of the location of all interior finishes, including walls, ceiling, drapes, and cubicle curtains. No cut sheets are to be submitted with the initial package.
- 3) Copies of the Underwriters Laboratories Assembly Ratings for roofs, floors, columns, beams, and bearing walls, and certification by the installer that the components have been installed in accordance with the assembly ratings.
- 4) Copies of the Underwriters Laboratories through penetrations and fire stop systems, and certification by the installer that the through walls and fire stop systems have been installed in accordance with the manufacturer's specifications.
- 5) Certification by the installer that all fire alarm pull stations, all smoke and heat detectors, doors that are held open mechanically, all smoke and fire dampers, all exit lights and emergency lighting including outside lights have been checked and are installed in accordance with the applicable licensure rules.
- 6) Certification by the installer that the elevator recall system is installed and operates in accordance with the applicable licensure rules.
- 7) Certification by the installer that the nurse call system has been checked and is in proper operation.
- 8) A copy of the fire protection plan developed by the facility, which has been made available to all supervisory personnel to assure the protection of all persons in the event of fire and to assure their evacuation to areas of refuge.
- 9) A copy of the evacuation plans, and certification by the facility of the posting of the plans in prominent locations on all floors.
- 10) Certification by the facility of the training and familiarization of the staff with the fire protection plan and evacuation plans.
- 11) Documentation by the installer that the sprinkler system has been completely flushed and checked for the purpose of determining compliance with the applicable licensure rules.
- 12) Documentation by the installer that other fire extinguishment

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- systems have been tested and checked for the purpose of determining compliance with the applicable licensure rules.
- 13) Verification by the installer that all fire extinguishers have been checked and that the inspection tags are dated and attached to each extinguisher.
 - 14) A copy of the facility's regulations to control smoking, and verification of the posting of signs in prominent locations throughout the building by the facility.
 - 15) Documentation by the installer that the waste baskets are noncombustible with certification by an independent testing laboratory.
 - 16) Certification by the installer that the air conditioning and ventilation system is installed in accordance with the applicable licensure rules.
 - 17) Certification by the installer that the air conditioning and ventilation system has been balanced and operates in accordance with the plans and specifications, including a copy of the final air balancing report.
 - 18) Certification by the installer that the smoke control system (if installed) has been tested and operates as designed.
 - 19) Certification by the installer that the range hood and duct systems are installed and operate in accordance with the applicable licensure rules.
 - 20) Certification by the installer that the non-flammable medical gas system has been installed in accordance with the applicable licensure rules, including all testing and certification documentation as to type, quality and quantity of medical gas at each outlet. Verification that zone control valves have been labeled indicating rooms served.
 - 21) Certification by the installer that the medical-surgical systems have been installed in accordance with applicable licensure rules.
 - 22) For hospitals, a copy of the facility Governing Board's resolution stating that only nonflammable medical gases will be used in all operating rooms, delivery rooms and other anesthetizing locations.
 - 23) Certification of the architect's inspection and verification of the required ratings for:
 - A) building construction type
 - i) doors
 - ii) vertical shafts
 - iii) corridor walls
 - B) hazardous area walls
 - i) ceiling-roof assembly
 - ii) ceiling-floor assembly
 - iii) smoke and fire walls.
 - 24) A copy of the list of uncompleted items from the architect's and engineer's punch list.

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- 25) Certification from the architects, engineers, and contractors that they have reviewed all of the above certifications and have verified them by inspection.
- 26) Certification by the installer that the emergency generator has been installed to meet the applicable licensure rules. The generator must be operational for the inspection.
- 27) Certification by the electrical systems installer(s) that the electrical system(s) have been installed and all electrical work has been performed in accordance with applicable licensure rules.
- e) If a final inspection of a facility occurs based on acceptance of the pre-occupancy certifications submitted in accordance with subsection (d) of this Section, and the facility is found not to be ready for occupancy, the Department will return to complete the inspection no earlier than 30 days after the date of the original inspection.
- f) An inspection will not occur unless the adjusted project fee process has been concluded and all outstanding fee issues have been resolved.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF MODIFICATION TO EMERGENCY AMENDMENTS IN RESPONSE TO AN OBJECTION OF
THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Licensing Standards for Child Welfare Agencies
- 2) Code Citation: 89 Ill. Adm. Code 401
- 3) Section Numbers: 401.30
- 4) Notice of Emergency Amendments Published in the Illinois Register: 21 Ill. Reg. 9151, July 11, 1997
- 5) JCAR Statement of Objection to Emergency Amendments Published in the Illinois Register: 21 Ill. Reg. 11988, August 29, 1997
- 6) Date agency submitted this modification to JCAR for approval: September 15, 1997
- 7) Summary of Action Taken by the Agency: The Department added a sentence to Section 401.30, Purpose, which requires that child welfare agencies who held a valid license or permit as of June 30, 1997, continue to be governed by the requirements of 89 Ill. Adm. Code 401, Licensin Standards for Child Welfare Agencies, that were in effect as of June 30, 1997, and that copies of these rules that were in effect as of June 30, 1997, may be obtained by contacting the Office of Rules and Procedures.

The full text of the Sections of the emergency amendments being modified begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF MODIFICATION TO EMERGENCY AMENDMENTS IN RESPONSE TO AN OBJECTION OF
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TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER a: SERVICE DELIVERY

PART 401

LICENSING STANDARDS FOR
CHILD WELFARE AGENCIES

SUBPART A: Introduction and Definitions

Section

401.30 Purpose

EMERGENCY

401.40 Definitions

EMERGENCY

SUBPART B: Permits and Licenses

401.100 Application for License

EMERGENCY

401.110 Provisions Pertaining to Permit

EMERGENCY

401.120 Provisional Licenses

EMERGENCY

401.130 Provisions Pertaining to Licenses

EMERGENCY

401.140 Application for Renewal of License

EMERGENCY

401.150 Acceptance of Accreditation in Lieu of License Renewal Study

EMERGENCY

401.160 Voluntary Surrender of License

EMERGENCY

Subpart C: Administration and Financial Management

401.200 Incorporation

EMERGENCY

401.210 Composition and Responsibilities of the Governing Body

EMERGENCY

401.220 Organization and Administration

EMERGENCY

401.230 Finances

EMERGENCY

401.240 Background Checks

EMERGENCY

401.250 Required Reporting to the Department

EMERGENCY

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF MODIFICATION TO EMERGENCY AMENDMENTS IN RESPONSE TO AN OBJECTION OF
THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

401.260 Required Record Keeping

EMERGENCY

401.270 Records Retention

EMERGENCY

Subpart D: Personnel Requirements

401.300 The Executive Director

EMERGENCY

401.310 Child Welfare Supervisors

EMERGENCY

401.320 Child Welfare Workers

EMERGENCY

401.330 Licensing Staff

EMERGENCY

401.340 Professional Staff

EMERGENCY

401.350 Support Personnel

EMERGENCY

401.360 Use of Volunteer Services

EMERGENCY

401.370 Non-Discrimination Against Employees Who Report Suspected Licensing
Violations

EMERGENCY

401.380 Personnel Records

EMERGENCY

Subpart E: Services to Children

401.400 Legal Safeguards of Children Served

EMERGENCY

401.410 Required Written Consents

EMERGENCY

401.420 Agency Responsibility

EMERGENCY

401.430 Interstate Placement of Children

EMERGENCY

401.440 Health and Medical Services for Children

EMERGENCY

401.450 Transportation of Children

EMERGENCY

401.460 Agency Supervised Foster Family Homes, Group Homes and Day Care Homes

EMERGENCY

401.470 Agency Responsibilities for Adoption Services

EMERGENCY

SUBPART F: Severability Clause

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF MODIFICATION TO EMERGENCY AMENDMENTS IN RESPONSE TO AN OBJECTION OF
THE JOINT COMMITTEE ON ADMINISTRATIVE RULES401.500 Severability of this Part
EMERGENCY

APPENDIX A EMERGENCY	Licensing Progression for Child Welfare Agencies
APPENDIX B EMERGENCY	Requirements for Operation of Branch Offices
APPENDIX C EMERGENCY	Financial Analysis of Child Welfare Agency Operations
APPENDIX D EMERGENCY	Minimum Requirements for a Risk Management Plan
APPENDIX E EMERGENCY	Acceptance of Voluntary Surrender of License - No Investigations Pending
APPENDIX F EMERGENCY	Acceptance of Voluntary Surrender of License - Investigations Pending
APPENDIX G EMERGENCY	Acceptable Human Service Degrees
APPENDIX H EMERGENCY	Professionals Who Must Be Registered or Licensed

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10/1].

SOURCE: Adopted and codified at 5 Ill. Reg. 11351, effective November 12, 1981; amended at 7 Ill. Reg. 3428, effective April 4, 1983; amended at 11 Ill. Reg. 17511, effective October 15, 1987; emergency amendments at 21 Ill. Reg. 9151, effective July 1, 1997 for a maximum of 150 days; modified in response to JCAR objection at 21 Ill. Reg. 11988.

Section 401.30 Purpose

- a) The purpose of this Part is to prescribe the standards for licensure as a child welfare agency and to describe how to apply for a child welfare agency license. This Part also prescribes the duties of a child welfare agency to monitor and supervise child care facilities under its supervisory authority.
- b) The licensing standards set forth in this Part are applicable to entities seeking a license to operate a child welfare agency ~~child welfare-agencies~~ as defined in the Child Care Act of 1969 [225 ILCS 2.08] which ~~who~~ do not have a valid license or permit to operate as a child welfare agency as of July 1, 1997.
- c) Child welfare agencies which held a valid license or permit as of June 30, 1997, continue to be governed by the requirements of this Part that were in effect as of June 30, 1997. Copies of this Part, 89 Ill. Adm. Code 401, which were in effect as of June 30, 1997, may be

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF MODIFICATION TO EMERGENCY AMENDMENTS IN RESPONSE TO AN OBJECTION OF
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obtained by contacting the Office of Rules and Procedures, Department of Children and Family Services, 406 E. Monroe Street, Station #65, Springfield, Illinois 62701-1498.

- d) Granting a license to a child welfare agency does not guarantee a contract with the State of Illinois or the Department of Children and Family Services.

(Source: Modified in response to JCAR objection at 21 Ill. Reg. 11988)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 21, 1997

NOTICES: Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706*

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGSAging

1. Board and Care Facilities Registration (89 Ill Adm Code 290)
-First Notice Published: 21 Ill Reg 6634 - 6/6/97
-Expiration of Second Notice Period: 11/8/97

Capital Development Board

2. Illinois Accessibility Code (71 Ill Adm Code 400)
-First Notice Published: 21 Ill Reg 9630 - 7/25/97
-Expiration of Second Notice Period: 11/6/97

Carnival and Amusement Safety Board

3. Carnival and Amusement Ride Safety Inspection Law (56 Ill Adm Code 6000)
-First Notice Published: 21 Ill Reg 9632 - 7/25/97
-Expiration of Second Notice Period: 11/5/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 21, 1997

Central Management Services

4. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 21 Ill Reg 9923 - 8/1/97
-Expiration of Second Notice Period: 11/6/97

Children and Family Services

5. Client Service Planning (89 Ill Adm Code 305)
-First Notice Published: 21 Ill Reg 7622 - 6/20/97
-Expiration of Second Notice Period: 10/22/97

6. Planning for Statewide Resource Allocation (89 Ill Adm Code 326)
-First Notice Published: 21 Ill Reg 8733 - 7/11/97
-Expiration of Second Notice Period: 10/30/97

7. Grants-In-Aid (89 Ill Adm Code 360)
-First Notice Published: 21 Ill Reg 8728 - 7/11/97
-Expiration of Second Notice Period: 10/30/97

8. Department Advisory Council, Illinois Juvenile Justice Commission and Other Statewide and Regional Committees (89 Ill Adm Code 428)
-First Notice Published: 21 Ill Reg 8117 - 7/7/97
-Expiration of Second Notice Period: 11/1/97

9. Audits, Review and Investigations (89 Ill Adm Code 434)
-First Notice Published: 21 Ill Reg 8704 - 7/11/97
-Expiration of Second Notice Period: 10/30/97

Education

10. Pupil Transportation (23 Ill Adm Code 275)
-First Notice Published: 21 Ill Reg 6943 - 6/13/97
-Expiration of Second Notice Period: 11/12/97

Historic Preservation Agency

11. Rules for the Protection, Treatment and Inventory of Archaeological and Paleontological Resources on Public Lands (17 Ill Adm Code 4190)
-First Notice Published: 21 Ill Reg 6642 - 6/6/97
-Expiration of Second Notice Period: 11/30/97

Human Services

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 21, 1997

12. Child Care (89 Ill Adm Code 50)
-First Notice Published: 21 Ill Reg 9393 - 7/18/97
-Expiration of Second Notice Period: 11/9/97
Natural Resources
13. Youth Hunting Season for White-Tailed Deer (17 Ill Adm Code 685)
-First Notice Published: 21 Ill Reg 10001 - 8/1/97
-Expiration of Second Notice Period: 10/30/97
Professional Regulation
14. Clinical Psychologist Licensing Act (68 Ill Adm Code 1400)
-First Notice Published: 21 Ill Reg 6389 - 5/30/97
-Expiration of Second Notice Period: 11/1/97
15. Illinois Public Accounting Act (68 Ill Adm Code 1420)
-First Notice Published: 21 Ill Reg 8837 - 7/11/97
-Expiration of Second Notice Period: 11/1/97
Property Tax Appeal Board
16. Procedures (86 Ill Adm Code 1910)
-First Notice Published: 21 Ill Reg 10004 - 8/1/97
-Expiration of Second Notice Period: 10/30/97
Public Aid
17. Practice in Administrative Hearings (89 Ill Adm Code 104)
-First Notice Published: 21 Ill Reg 8858 - 7/11/97
-Expiration of Second Notice Period: 11/8/97
Secretary of State
18. Business Corporation Act (14 Ill Adm Code 150)
-First Notice Published: 21 Ill Reg 10019 - 8/1/97
-Expiration of Second Notice Period: 10/31/97
19. Uniform Partnership Act (14 Ill Adm Code 165)
-First Notice Published: 21 Ill Reg 10032 - 8/1/97
-Expiration of Second Notice Period: 10/31/97
20. Revised Uniform Limited Partnership Act (14 Ill Adm Code 170)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 21, 1997

- First Notice Published: 21 Ill Reg 10028 - 8/1/97
-Expiration of Second Notice Period: 10/31/97
21. Limited Liability Company Act (14 Ill Adm Code 178)
-First Notice Published: 21 Ill Reg 10023 - 8/1/97
-Expiration of Second Notice Period: 10/31/97
22. The Use of the Capitol Complex Facilities (71 Ill Adm Code 2005)
-First Notice Published: 21 Ill Reg 9727 - 7/25/97
-Expiration of Second Notice Period: 10/22/97
State Police
23. Sample Collection for Genetic Marker Indexing (20 Ill Adm Code 1285)
-First Notice Published: 21 Ill Reg 5469 - 5/2/97
-Expiration of Second Notice Period: 10/26/97
EMERGENCY AND PEREMPTORY RULEMAKINGS
Agriculture
24. Meat and Poultry Inspection Act (8 Ill Adm Code 125) (Peremptory)
-Notice Published: 21 Ill Reg 12686 - 9/12/97
Central Management Services
25. Pay Plan (80 Ill Adm Code 310) (Emergency)
-Notice Published: 21 Ill Reg 12859 - 9/19/97
Commerce Commission
26. Telecommunications Enforcement (83 Ill Adm Code 766) (Emergency)
-Notice Published: 21 Ill Reg 13180 - 9/26/97
Health Care Cost Containment Council
27. Data Collection (77 Ill Adm Code 2510) (Emergency)
-Notice Published: 21 Ill Reg 12661 - 9/12/97
Health Facilities Planning Board
28. Health Facilities Planning Procedural Rules (77 Ill Adm Code 1130) (Emergency)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
OCTOBER 21, 1997

-Notice Published: 21 Ill Reg 12671 - 9/12/97

Public Health

29. Testing of Breath, Blood and Urine for Alcohol And/or Other Drugs (77 Ill Adm Code 510) (Emergency)

-Notice Published: 21 Ill Reg 13381 - 10/3/97

State Employees' Retirement System

30. The Administration And Operation of The State Employee's Retirement System of Illinois (80 Ill Adm Code 1540) (Emergency)

-Notice Published: 21 Ill Reg 13187 - 9/26/97

AGENCY RESPONSESChildren and Family Services

31. Department of Children and Family Services Employee Conflict of Interest (89 Ill Adm Code 437)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 30, 1997 through October 6, 1997 and have been scheduled for review by the Committee at its November 12, 1997 meeting in Springfield. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
11/13/97	Department of Professional Regulation, Illinois Optometric Practice Act of 1987 (68 Ill Adm Code 1320)	7/11/97 21 Ill Reg 8844	11/12/97
11/13/97	Department of Professional Regulation, Environmental Health Practitioner Licensing Act (68 Ill Adm Code 1247)	7/11/97 21 Ill Reg 8834	11/12/97
11/14/97	Illinois Commerce Commission, Pay-Per-Call Services (83 Ill Adm Code 772)	7/11/97 21 Ill Reg 8738	11/12/97
11/19/97	Pollution Control Board, Tiered Approach to Corrective Action Objectives (35 Ill Adm Code 742)	7/25/97 21 Ill Reg 9687	11/12/97

PROCLAMATION

97-532

CATHOLIC KOLPING SOCIETY DAYS

Whereas, on October 3-11, 1997, the National Catholic Kolping Society will be celebrating their 125th Anniversary; and

Whereas, Henry Dreisliker is the 125th Anniversary Chairman; and

Whereas, on October 5, the observance will include a reception at the National Office of Kolping House in Chicago, and a brunch at Aqua Bella. A High Mass at St. Joseph's Church (Kolping's founding Church in Chicago) will include the following celebrants: Msgr. Heinrich Festing, International Praeses, Rev. Sebastian C. Lewis, OSB, Fr. Bruno Kremp, OFM National Association Praeses and Fr. Richard Ehrens, National Association Praeses; and

Whereas, the Mass will be sung by Rheinischer Gesangverein under the direction of Dr. Frank Mueller; and

Whereas, on October 11, the observance will include a High Mass at Our Lady of Hope Church in Rosemont, Illinois, and will include the following celebrants: Most Rev. Archbishop Francis George, Pastor Thomas Schwab, Fr. Richard Ehrens, National Association Praeses; and

Whereas, the Mass will be sung by Deutscher Chor der St. Alphonsus Kirche under the direction of Alfred Schoepko; and

Whereas, the Closing Celebration Banquet will take place at the O'Hare Expo Center Ballroom where Franz Benteler Royal Strings Orchestra will perform; and

Whereas, the Catholic Kolping Society is to be commended for promoting their rich culture, heritage and tradition as well as serving to strengthen the faith of others;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 3-11, 1997, as *CATHOLIC KOLPING SOCIETY DAYS* in Illinois.

Issued by the Governor September 18, 1997.

Filed by the Secretary of State September 29, 1997.

97-533

CHILDREN'S FILM WEEK

Whereas, the 14th annual Chicago International Children's Film Festival (CICFF), will run from October 9-19, 1997; and

Whereas, during the past 14 years, the Festival has become the foremost festival of children's films in the United States, involving both adult and children juries; and

Whereas, Facets Multimedia, a not-for-profit film and theater organization, has presented the Festival since its inception and has provided Chicago-area children with innovative and inspiring arts programs since 1975; and

Whereas, the Festival is made possible, in part, by grants from AT&T, The Elizabeth Cheney Foundation, The Chicago Community Trust - Young Leaders Fund, The Gaylord and Dorothy Donnelley Foundation, The Lloyd A. Fry Foundation, The GATX Corporation, The Harris Foundation, Heller Financial, IBM, The Illinois Arts Council, The Jessica Fund, The John D. and Catherine T. MacArthur Foundation, The Mayer and Morris Kaplan Foundation, The Kenneth F. and Harle G. Montgomery Foundation, Nabisco, The National Endowment for the Arts, The

Playboy Foundation, The Polk Brothers Foundation, The Sara Lee Foundation, The Seabury Foundation, The Shell Oil Company, Water Tower Bank, Whole Foods Market, The William Woods Skinner Foundation, The WPWR-TV Channel 50 Foundation, American Airlines, Carson's Ribs, Cellular One, Chicago Parent Magazine, Claridge Hotel, Dr. Graphx, IPA - The Editing House, Kidz Khroniclez, Lisika & Associates, Midwest Graphic Consultants, Inc., Via Carducci's, William Wegman; and

Whereas, the 11-day Film Festival will screen more than 150 films from 35 nations, providing programming that offers films that stimulate, incite curiosity, entertain, and supplement education, as well as investigate cultures from around the world, allowing our local multi-ethnic communities to celebrate their heritage;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 9-19, 1997, as *CHILDREN'S FILM WEEK* in Illinois.

Issued by the Governor September 18, 1997.

Filed by the Secretary of State September 29, 1997.

97-534

C. R. WALGREEN III DAY

Whereas, Walgreen Company has been an Illinois corporation for almost 100 years; and

Whereas, Walgreen Company has had 22 years of consecutive record sales; and

Whereas, Walgreen Company has been named among the "Most Admired Corporations in America" and one of the 100 best stocks to own in America; and

Whereas, C. R. Walgreen III has worked for Walgreen Company for more than 45 years; and

Whereas, C. R. Walgreen III has served as chairman and chief executive officer of Walgreen Company since 1976; and

Whereas, Walgreen Company has grown from 618 stores in 1976 to more than 2,300 stores in 1997; and

Whereas, Walgreen Company has total profits of more than \$13 billion in sales; and C. R. Walgreen III is the longest serving director of the Illinois Retail Merchants Association;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 9, 1997, as *C. R. WALGREEN III DAY* in Illinois.

Issued by the Governor September 18, 1997.

Filed by the Secretary of State September 29, 1997.

97-535

GERMAN-AMERICAN HERITAGE DAY

Whereas, the first German immigrants arrived in the United States in October 1683; and

Whereas, today more than 60 million Americans trace at least a part of their ancestry to Germany. German-Americans account for the largest ethnic group in our state; and

Whereas, the sons and daughters of Germany have made numerous contributions to our nation and our state; and

Whereas, the United German-American Societies of Greater Chicago are sponsoring a number of festivities to celebrate Illinois' German-American

heritage, including the 32nd annual General Von Stueben Parade, September 20 and the annual German-American Fest, September 19-21;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 20, 1997, as *GERMAN-AMERICAN HERITAGE DAY* in Illinois.

Issued by the Governor September 18, 1997.

Filed by the Secretary of State September 29, 1997.

97-536

INTER OCEAN CABINET COMPANY DAY

Whereas, 1997 marks the 100th anniversary of the Inter Ocean Cabinet Company; and

Whereas, the company, which was first located on Canal Street in Chicago before moving to Paulina Street and currently residing at 2415 Braga Drive in Broadwell, has survived the sudden death of its young owner, the Great Depression, major market changes and competition from mass production facilities, to remain one of the most successful custom architectural woodwork firms in the Midwest; and

Whereas, the Inter Ocean Cabinet Company was purchased in 1905 by Bartholomew J. Farrell, a varnish salesman dedicated to living the American dream of entrepreneurship; and

Whereas, Bridget Farrell, Bartholomew's widow, became one of the first women to run a manufacturing company when her husband died in 1925; and

Whereas, John J. Farrell, Bartholomew and Bridget's son, joined the company full-time after his 1932 graduation from Loyola University and eventually ran the company for many years until turning it over to his son, John P. Farrell, in 1995; and

Whereas, over the years the company has supplied cabinetwork for the post office, chemistry tables and laboratory wall sinks, library furniture and sewing equipment for industrial clients such as Borg-Warner, Standard Oil, Eastman-Kodak and International Harvester and a host of hospitals, high schools and colleges; and

Whereas, Inter Ocean currently employs 23 people; and

Whereas, the company will celebrate the anniversary with an Oktoberfest barbecue held on-site for employees and friends of Inter Ocean; and

Whereas, future goals include continuing to provide precise craftsmanship, high quality products and excellent services to the greater Chicago area;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 3, 1997, as *INTER OCEAN CABINET COMPANY DAY* in Illinois.

Issued by the Governor September 18, 1997.

Filed by the Secretary of State September 29, 1997.

97-537

PREGNANCY AND INFANT LOSS AWARENESS MONTH

Whereas, October is National Pregnancy and Infant Loss Awareness Month in the United States; and

Whereas, during the month, healthcare providers across the nation will join forces to promote community awareness of the impact infant loss has on families and communities; and

Whereas, *TOUCH* (Touching, Outreach, Understanding, Comforting, Helping Hand) is a prenatal loss support program for parents who have experienced the

death of a child through miscarriage, stillbirth, SIDS or other causes; and
Whereas, the *TOUCH* program of Bethany Hospital will kick off the month with its Sixth Annual Awareness Day activities, which includes a conference; and

Whereas, Awareness Day is designated for health care workers involved with individuals who have experienced a prenatal loss; and

Whereas, this is a dedicated group of individuals whose work is not easy, but who bring great comfort and support to parents during a time of extreme sorrow;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1997 as *PREGNANCY AND INFANT LOSS AWARENESS MONTH* in Illinois.

Issued by the Governor September 18, 1997.

Filed by the Secretary of State September 29, 1997.

97-538

STAND FOR CHILDREN DAY

Whereas, the children of our state are essential members of our society and their welfare is of primary importance to the State of Illinois and its citizens; and

Whereas, the American School Counselor Association (ASCA) has added a new committee, the Committee for Children, that will deal with the concerns and welfare of our children; and

Whereas, since 1952, the ASCA has been instrumental in developing and recommending strong professional and ethical standards for the school counseling profession; and

Whereas, the ASCA is committed to promoting excellence in the profession of school counseling and in the development of all students; and

Whereas, the ASCA provides leadership development training for state leaders, upgraded resources, materials and publications, information on legislation that impacts school counseling, and support for researching effective school counseling practices;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1, 1997, as *STAND FOR CHILDREN DAY* in Illinois.

Issued by the Governor September 18, 1997.

Filed by the Secretary of State September 29, 1997.

97-539

AFRICAN ENTREPRENEUR WEEK

Whereas, African Entrepreneur Week is a celebration of the contributions and achievements made by Africans and African-American in Illinois and throughout the United States; and

Whereas, African entrepreneurs can examine their potentials in building African economic solidarity and developing the African economic foundation; and

Whereas, African entrepreneurs can rally for the development of African economic factors of production and the promotion of African trade and businesses; and

Whereas, African entrepreneurs can give credit to past and present great African entrepreneurs and pioneers; and

Whereas, African entrepreneurs can continue to work towards the eradication of poverty, destitution and degradation in the African midst; and

Whereas, African entrepreneurs can gear towards a working relationship among Africans, African-Americans and the world at large;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 17-21, 1997, as *AFRICAN ENTREPRENEUR WEEK* in Illinois in recognition of the contributions and achievements of Africans and African-Americans throughout our state.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-540

COAL AWARENESS MONTH

Whereas, coal has helped shape the United States into a strong and prosperous nation and has played a vital role in Illinois' development as a social, industrial and economic power; and

Whereas, today, coal mining in Illinois provides direct employment for more than 4,000 citizens and related employment for tens of thousands of others; and

Whereas, coal is used to generate nearly 60 percent of America's supply of electricity; and

Whereas, there is a renewed interest in energy education as people realize the importance of coal in their everyday lives; and

Whereas, Illinois has been and continues to be a leader in the effort to find and promote ways to burn our vast coal resources without causing harm to the environment;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1997 as *COAL AWARENESS MONTH* in Illinois.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-541

COMBINED LAW ENFORCEMENT

Whereas, the Combined Law Enforcement Hispanic Heritage Committee is holding its Fourth Annual Program on Wednesday, September 24, 1997, at the Harold Washington Library Winter Garden Room; and

Whereas, the Combined Law Enforcement Hispanic Heritage Committee is made up of law enforcement officers from federal, state, county and municipal agencies working together to recognize, through award presentations, law enforcement and the community during Hispanic Heritage Month; and

Whereas, this year's program includes the national theme "Excellence in Education Building Opportunities for our Youth", the Illinois State Police 75th Anniversary and the Hispanic Illinois State Law Enforcement Association 10th Anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 24, 1997, as *COMBINED LAW ENFORCEMENT HISPANIC HERITAGE COMMITTEE DAY* in Illinois in recognition of the contributions Hispanic law enforcement personnel have and will continue to make to the safety, diversity, and prosperity of Illinois.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-542

ECONOMIC EDUCATION AWARENESS DAY

Whereas, the Illinois Council on Economic Education is the premier provider in the State of Illinois of economic education programs for citizens of all ages; and

Whereas, these programs, through the Economics America curriculum, help prepare individuals to be informed consumers, productive workers, and knowledgeable voters in our local and global economy; and

Whereas, the Illinois Council on Economic Education, a nonprofit, nonpartisan organization, accomplishes its goals primarily through working with teachers and administrators to integrate the EconomicsAmerica curriculum into the school curriculum K-12 to increase students' economic understanding and meet state academic standards; and

Whereas, the Illinois Council on Economic Education, located at Northern Illinois University in DeKalb, works through a network of Centers for Economic Education located at universities throughout Illinois; and

Whereas, the Council and its Centers deliver five statewide programs to Illinois classrooms: the EconomicsAmerica School Program, the Stock Market Game, Illinois Awards for Excellence in the Teaching of Economics, the Economics Challenge, and the Economics Poster Contest; and

Whereas, the council represents a strong partnership between education, business, labor and government that offers a cost-efficient, effective educational process with proven and lasting impact;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 16, 1997, as *ECONOMIC EDUCATION AWARENESS DAY* in Illinois.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-543

ILLINOIS RIVER SYSTEM MANAGEMENT MONTH

Whereas, the 1997 Governor's Conference on the Management of the Illinois River System will be October 7-9, 1997, at the Holiday Inn City Centre in Peoria; and

Whereas, a new feature at the 1997 Governor's Conference on the Management of the Illinois River System is "Technology Showcase" where participants will have an opportunity to access information sites on the Internet related to the river and watershed resources; and

Whereas, the system's approach to river management will be emphasized throughout the conference. Speakers will address issues, programs, progress to date and future plans that will influence the river as we move into the 21st century; and

Whereas, conference participants will represent a diversity of backgrounds, agencies, organizations and communities; and

Whereas, 1997 marks the 102nd anniversary of the Illinois State Water Survey and the Steven Forbes Biological Research Station; and

Whereas, the Illinois State Water Survey and the Steven Forbes Biological Research Station have made tremendous contributions toward understanding the ecosystem of the Illinois River over the last century;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1997 as *ILLINOIS RIVER SYSTEM MANAGEMENT MONTH* in Illinois and urge all

citizens to recognize the economic, recreational, social and environmental responsibilities we have to conserve and properly utilize the resources of the Illinois River Basin.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-544

JON WARE OF WARECO SERVICE, INC. CONGRATULATED

Whereas, Wareco Service, Inc. was founded by Mr. Claude Ware in 1929; and
Whereas, Claude's three sons, Dick, Jon, and Bill, continue to operate the company in Jacksonville, Illinois; and

Whereas, Jon Ware, a native of Tuscola, graduated from Tuscola High School and Eastern Illinois University in 1957, where he received a B.S. in Education, along with serving as captain of the football team his senior year; and

Whereas, Jon and his wife, June, were married in 1956 and raised two sons, Brad and Todd, who are also involved in Wareco Service Inc.; and

Whereas, Jon is highly respected in the community and is actively involved in numerous civic endeavors, a member of Grace United Methodist Church, and serves on the Board of Trustees of Illinois College in Jacksonville, Illinois; and

Whereas, Jon has been a petroleum marketer since 1959, served on the Board of Directors, and is a past president of the Illinois Petroleum Marketers Association; and

Whereas, Jon has been a director, and a regional vice-president of the Petroleum Marketers Association of America; and

Whereas, Jon is currently senior vice-president of the Petroleum Marketers Association of America;

Therefore, I, Jim Edgar, Governor of the State of Illinois, congratulate Jon Ware of Wareco Service, Inc., of Jacksonville, Illinois, on his election as President of the Petroleum Marketers Association of America, and wish Jon and his family all the best in his year as president.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-545

**ST. GREGORY THE ILLUMINATOR ARMENIAN
APOSTOLIC CHURCH DAY**

Whereas, St. Gregory the Illuminator Armenian Apostolic located at 3501 Century Drive, Granite City, Illinois, is being consecrated on Sunday, October 12, 1997, by His Holiness Aram Ist Catholicos of the Holy See of Cilicia; and
Whereas, accompanying His Holiness will be the Prelate of our Diocese, His Eminence Archbishop Mesrob Ashjian, His Grace Bishop Mousheegh Marddrosian of the Western Preleacy and His Grace Bishop Khajag Hagopian, Vicar General of Canada; and

Whereas, also attending are Rev. Father Gorun Shrikian, Rev. Father Khoren Habeshian and Rev. Father Nerse Mandogian, the three former parish priests who faithfully served St. Gregory Armenian Church; and

Whereas, Father Vartan Kassabian has served as Pastor of St. Gregory Armenian Church since August 1992; and

Whereas, the original church edifice was located on Maple Street in

Granite City and was consecrated in December 1954; and

Whereas, the new church which is being consecrated along with the community center complex is the result of many years of hard work and sacrifices of many individuals. This includes those who have departed as well as the living who continue to give of themselves for the perpetuation of their faith and heritage;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 12, 1997, as **ST. GREGORY THE ILLUMINATOR ARMENIAN APOSTOLIC CHURCH DAY** in Illinois.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-546

UNITED HELLENIC AMERICAN CONGRESS DAY

Whereas, September 27, 1997, marks the 22nd Annual Dinner of the United Hellenic American Congress; and

Whereas, the United Hellenic American Congress was founded in 1975 to serve as the umbrella and unifying organization for Hellenic Americans; and

Whereas, the organization functions on local, regional and national levels to promote Greek heritage and culture, enhance relations between Greece and the United States and improve communications and unity between Greek-Americans and fellow Americans; and

Whereas, the United Hellenic American Congress will honor and recognize the Honorable Dimitris L. Avramopoulos, Mayor of Athens, Greece, for his contributions to the Hellenic community and for the effort and dedication that he has provided not only to the citizens of Athens, but internationally as an elected member of the Executive Committee of the World Union of Local Authority;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 27, 1997, as **UNITED HELLENIC AMERICAN CONGRESS DAY** in Illinois and commend the Honorable Dimitris L. Avramopoulos.

Issued by the Governor September 22, 1997.

Filed by the Secretary of State September 29, 1997.

97-547

WILLIAM SPELLER CONGRATULATED

Whereas, Mr. William Speller has been committed to the Northeastern Illinois University students, faculty and alumni since 1968; and

Whereas, Mr. Speller developed the Project Success Program as NEIU's premiere "Educational Assistance Program" in 1968, which has subsequently served as the role model for several other programs; and

Whereas, Mr. Speller coordinated and recruited students who ordinarily were ineligible for general admissions; and

Whereas, Mr. Speller has spent a lifetime of guidance, illumination, instruction and socialization, resolving problems and showing students how to rise above adversity; and

Whereas, Mr. Speller has made an untiring investment in thousands of at-risk African-American youth;

Therefore, I, Jim Edgar, Governor of the State of Illinois, congratulate Mr. William Speller for his lifetime of achievements and honor him as one of

the most outstanding examples of a committed, dedicated educator.
 Issued by the Governor September 22, 1997.
 Filed by the Secretary of State September 29, 1997.

97-548

REVEREND TOMMIE ROBINSON APPRECIATION DAY

Whereas, Reverend Tommie Robinson has dedicated his life to the preaching of the Gospel, in season and out of season, for 34 years as a minister; and
 Whereas, he believes the scriptures teach that there is one and only one living and true God; an infinite, intelligent spirit whose name is Jehovah; the maker and the supreme ruler of heaven and earth; inexpressibly glorious in holiness and worthy of all possible honor; and

Whereas, those who worship with him see him as a living example of Christianity for all to see and follow. His love and kindness is an everyday affair and not just on Sunday; and

Whereas, he is well known for his meek and humble spirit and is constantly reaching out to others; and

Whereas, he has made a promise to his faith to hold out no matter what others may do and remembering when the going gets tough, as it sometimes does, that your faith will see you through and one day your tears shall be wiped away;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 27, 1997, as **REVEREND TOMMIE ROBINSON APPRECIATION DAY** in Illinois.

Issued by the Governor September 23, 1997.

Filed by the Secretary of State September 29, 1997.

97-549

THOMAS C. HOLLAND DAY

Whereas, Thomas C. Holland has served as Assistant Secretary-Treasurer of the Illinois Federation of Teachers (IFT) since 1975 and will be retiring at the end of 1997; and

Whereas, Mr. Holland received a Bachelor of Science in Humanities from Loyola University in 1960 and a Master of Science in Social and Industrial Relations in 1963; and

Whereas, Mr. Holland began his teaching career in 1960 at Catholic High School in Chicago, later moving to Chicago Vocational High School in 1966; and
 Whereas, Mr. Holland served as High School Functional Vice President of the Chicago Teachers Union and Chair of that group while an active teacher at Chicago Vocational; and

Whereas, in 1971 Mr. Holland began employment with the Illinois Federation of Teachers as Field Service Director for south suburban Cook County; and

Whereas, at the IFT state convention, Mr. Holland received the "Dedicated Service to the Teachers Union Movement" award in 1979, special "Recognition Award for Years of Outstanding Leadership" as an officer of the IFT in 1983, and "Award of Excellence" in 1992; and

Whereas, Mr. Holland, throughout his career was a tireless advocate for a more pro-active political action agenda for the IFT, and for increases in the IFT's political action budget to accomplish the union's political goals at the state level. His efforts played a significant role in positioning the IFT to effectively lobby for passage of the state's historic collective bargaining

laws in the 1980's; and
 Whereas, there will be a special dinner in Mr. Holland's honor, October 3, 1997, in Oak Brook;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 3, 1997, as **THOMAS C. HOLLAND DAY** in Illinois.

Issued by the Governor September 23, 1997.

Filed by the Secretary of State September 29, 1997.

97-550

MOSTLY MUSIC DAY

Whereas, Mostly Music announces its glorious 1997-1998 silver anniversary season which features the master musicians of Illinois who played in the very first programs, as well as rising new talents, performing in spectacular community settings, ideal for chamber music; and

Whereas, Mostly Music will sponsor a series of concerts, workshops, and symposiums as part of the NEA's Millennium Program in a collaboration with John Eaton and CUBE. The Rise of the American Music Identity--Roots and Flowerings will cover one hundred years of American music and explore our unique cultural history; and

Whereas, Mostly Music provides outreach programs for thousands of public school students who are underserved in cultural arts, by offering residencies with teacher-artists in classrooms and at assemblies throughout the city of Chicago; and

Whereas, Mostly Music will present live performances to thousands of senior citizens in nursing homes and centers in their Magic Carpet concert series; and

Whereas, Mostly Music will be featured in monthly broadcasts over WNIB FM showcasing outstanding chamber ensembles in honor of its 25th anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 28, 1997, as **MOSTLY MUSIC DAY** in Illinois and commend the board of directors for their good work in presenting more than 125 concerts and events in the community settings and at Northeastern Illinois University on the occasion of their 25th anniversary.

Issued by the Governor September 24, 1997.

Filed by the Secretary of State September 29, 1997.

97-551

PETE McMURRAY DAY

Whereas, during the Monday-Friday, 6-10 a.m. time period, the morning radio show with Pete McMurray on WXRK-FM (104.9) finished first in July's Arbitron ratings; and

Whereas, WXRK-FM, a classic rock radio station, finished first in the Rockford radio market ratings in total audience share and first among ages 12 and over, 18-39, and 25-54-year-old adults; and

Whereas, during the popular "McMurray in the Morning" radio show, Pete McMurray entertains area listeners with music, talk, games and giveaways. In addition, news and information are provided twice an hour; and

Whereas, Pete McMurray will be honored for his fifth anniversary with WXRK-FM on October 31, 1997, at Giovanni's;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

October 31, 1997, as *PETE McMURRAY DAY* in honor of his contributions to morning radio in the Rockford area.

Issued by the Governor September 24, 1997.

Filed by the Secretary of State September 29, 1997.

97-552

RESIDENT'S RIGHTS WEEK

Whereas, Illinoisans residing in nursing facilities represent our mothers, fathers, grandparents, siblings, and other loved ones; and

Whereas, they have lived long, productive lives, adding much to our state and nation; and

Whereas, growing older and requiring assistance in daily activities does not alter the rights of citizenship; and

Whereas, the federal Nursing Home Reform Act guarantees long term care residents the right to maintain their dignity and autonomy; and

Whereas, the Illinois Department on Aging's Long Term Care Ombudsman Program works to achieve individual and collective rights of residents; and

Whereas, we wish to honor the lives and contributions of these Illinois citizens while ensuring they live comfortably and in a manner befitting the citizens of this state;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 5-11, 1997, as RESIDENT'S RIGHTS WEEK in Illinois, and encourage all the citizens of this great state to join me in recognizing this observance.

Issued by the Governor September 24, 1997.

Filed by the Secretary of State September 29, 1997.

97-553

ST. MARY AFRICAN AMERICAN EPISCOPAL CHURCH MONTH

Whereas, the St. Mary African American Episcopal Church was organized by the Reverend E.J. Posey in the year 1897; and

Whereas, St. Mary A.M.E. Church has throughout its history been fortunate in having the leadership of outstanding churchmen, eminent pulpiteres, earnest pastors, and excellent administrators who have played their respective important roles in the development of its history; and

Whereas, St. Mary A.M.E. Church has been committed to the people of Chicago and has served as a constant reminder of the rich African heritage in the community for a long time;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1997 as *ST. MARY AFRICAN AMERICAN EPISCOPAL CHURCH MONTH* in Illinois.

Issued by the Governor September 24, 1997.

Filed by the Secretary of State September 29, 1997.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PR - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR* Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR*	S - Suspension ordered by JCAR*
O - Objections	W - Withdrawal to meet JCAR*
O - JCAR* Statement Of Objections	Objections
RQ - Request for Correction	MR - Modification and Refusal
EC - Expedited Corrections	
	*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

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97-277 Amigos De Ser Day	6625	97-321 Clarence Ellice, Sr. Day	7617
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		97-324 Valdas V. Adamkus Day	7618
		97-325 Chief William W. Fitzpatrick Congratulated	7619
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97-327 Men's Health Week 7619
97-328 Silent Witness Day 7620
97-329 American Medical Association Days 7621
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97-331 Edison Middle School Band Day 8690
97-332 Illinois-Niigata Student Exchange Program Weeks 8690
97-333 Ethnic Media Week 8691
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97-335 Professor John Goldsmith Day 8692
97-336 Chicago Tribune Day 8692
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97-338 Puerto Rican Week 8693
97-339 Wayne Saxton Day 8694
97-340 Bishop Alfred L. Abramowicz Day 8694
97-341 Howard A. Peters III Day 8695
97-342 Illinois Crop Improvement Association Day 8695
97-343 Dairy Month 8696
97-344 George E. Madden Day 8696
97-345 Hoffman Estates High School Band Days 8696
97-346 International Festival of Life Days 8697
97-347 Ostrich Awareness Week 8697
97-348 Victor Barczyk Day 8698
97-349 Flag Day 8698
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97-351 South Side Help Center Day 8699
97-352 Steven D. Hilberg Day 8700
97-353 Thomas Neri Day 8700
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97-357 Art Replogle Day 9386
97-358 Correctional Education Day 9386
97-359 Festa Italiana Days 9387
97-360 Svithiod Day 9387
97-361 Air Weather Service Heritage Day 9387
97-362 Father George Clements Day 9388
97-363 Licensed Certified Athletic Trainers Week 9388
97-364 Pom Pon Appreciation Day 9389
97-365 Spinal Health Care Month 9389
97-366 Township Government Day 9389
97-367 Gerald "Winddy" Nairn Day 9390
97-368 Illinois Wheat Growers Association Day 9390
97-369 Dick and Lucille Baughman Day 9390
97-370 Hill Family Congratulated 9391
97-371 Meeting Professionals International - Chicago Area Chapter Congratulated 9391
97-372 Meeting Professionals Week/Meeting Professionals Day 9392
97-373 Amateur Radio Week 9871
97-374 Rolle Bollie Days 9871

97-375 Single Parents Day 9871
97-376 Michael A. Grocholski Day 9872
97-377 Mothers of Twins and Multiples Week 9872
97-378 Mothers of Twins and Multiples Week (Revised) 9872
97-378 Metric Week 9873
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97-380 Jerry Witkovsky Commended 9874
97-381 Walls-Wolbert-Riley Family Reunion Weekend 9874
97-382 Hispanic Heritage Month 9875
97-383 Travel Professionals Days 9875
97-384 National Association of Black Journalists Week 9875
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97-386 Black Expo Week 9876
97-387 Slovak American Day 9877
97-387 Slovak American Day (Revised) 9877
97-388 ADA - Tying It All Together Day 9877
97-389 Jewish United Fund of Mel. Chicago and Jewish Federation of Mel. Chicago Silver Circle Day 9878
97-390 Child Support Awareness Month 10165
97-391 Dr. Russell James Martin Day 10168
97-391 Dr. Russell James Martin Day (Revised) 11624
97-392 Sister Mary Thomas Jirauch Day 10169
97-393 Welcome Wagon Week 10170
97-394 International Fire Bluff Association Days 10170
97-395 Mattoon Bagelfest Day 10171
97-396 Deputy Time Malteson Commended 10171
97-397 Dystonia Awareness Week 10171
97-398 Help Handicapped Citizens Days 10172
97-399 India Month 10172
97-400 James and Marion Holes Day 11619
97-401 Parents Day 11619
97-402 School's Open Safety Week 11620
97-403 Chamber of Commerce Week 11620
97-404 Child and Youth Care Workers Week 11620
97-405 Sokol Competition Days 11621
97-406 Rud Dilliken Day 11621
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97-408 Korean War Remembrance Day 11622
97-409 Fresh Vegetable Month 11622
97-410 Indo-American Community Week 11622
97-411 Ecuador Day 11623
97-412 Family Week 11623
97-413 Frankel & Co. Congratulated 11624
97-414 Mexican Independence Month 11624
97-415 Drug-Free Youth Days 11825
97-416 Etta Moten Barnett Day 11825
97-417 U.S. Department of Veterans Affairs Public Affairs Recognition Week 11826
97-418 American Education Week 11826
97-419 Respect Life Week 11827

97-420 Black on Black Love (BOBL) Commended
97-421 Hispanic Illinois State Law Enforcement Day
97-422 Illinois Recycles Day
97-423 American Business Women's Day
97-424 Firefighters Appreciation Month
97-425 Illinois Paralegal Association and Paralegal/
Legal Assistant Day
97-426 Unity Month
97-427 Constitution Week
97-428 Emily Mills-Parker Congratulated
97-429 Truck Driver Appreciation Week
97-430 Youth Achievers Day
97-431 Certified Professional Secretaries Month
97-432 Scandinavian Fraternal Convention Days
97-433 IHACE Week
97-434 Disaster Area - Cook County
97-435 Eddie and Mattie Phillips Congratulated
97-436 GFWC Illinois Junior Women's Club Week
97-437 Platelet Donor Awareness Week
97-438 Austrian-American Day
97-439 Love Day
97-440 Downey Family Congratulated
97-441 Feast of St. Maximilian Kolbe Day
97-442 Marrow Awareness Month
97-443 Pakistan Day
97-444 Riverside Branch of the American Association of
University Women Congratulated
97-445 George Baxter Congratulated
97-446 Carl and Dorothy Wingfield Congratulated
97-447 American Craft Exposition Days
97-448 Child Health Month
97-449 German Carnival Day
97-450 Najaso Days
97-451 Russian Arts & Festival Week
97-452 Taste of Polonia Days
97-453 Ukrainian Independence Day
97-454 Illinois Society for Respiratory Care Week
97-455 Lake County Contractors Association Congratulated
97-456 Minority Enterprise Development Week
97-457 American POW Recognition Day
97-458 Career Development Month
97-459 Corn Growers Association Day
97-460 Living Faith Ministries Church Congratulated
97-461 Northfield Park District Day
97-462 Quality Month
97-463 World Population Awareness Week
97-464 Earth Science Week
97-465 East-West University Congratulated
97-466 Good Neighbor Day
97-467 LaSalle Banks Chicago Marathon Week

97-468 Make a Difference Day
97-469 Payroll Week
97-470 Polish American Heritage Month
97-471 Women's Equality Day
97-472 Women in Construction Week
97-473 Y-ME National Breast Cancer Day
97-474 Arlene Randolph's Family and Friends Extended
Condolences
97-475 Arts Week
97-476 Ways-Takes Family Reunion Weekend
97-477 American Islamic Community Week
97-478 Bethesda Home and Retirement Day
97-479 African Festival of the Arts Day
97-480 Illinois Ambassadors of Music Congratulated
97-481 Kids Day America
97-482 Belvidere Congratulated the City of Murals
97-483 Illinois Judicial Council Day
97-484 Temporary Help Week
97-485 Change the World of a Child Week
97-486 McNickle Center Days
97-487 Radiology Technologists Week
97-488 Sister Mary Catherine Spatz Day
97-489 Healthcare Quality Week
97-490 Landmine Awareness Day
97-491 Principals' Week
97-492 Chief Petty Officer Ziegler Congratulated
97-493 Park Smart Awareness Week
97-494 World Food Day
97-495 Daughters of the Nile Day
97-496 Symphony Center Month
97-497 Glen Kinross Day
97-498 Uruguay Day
97-499 Chiropractic Health Care Month
97-500 Computer Literacy Week
97-501 Domestic Violence Awareness Month
97-502 Iron Overload Awareness Week
97-503 Martin F. Conatser Day
97-504 Peoria Symphony Orchestra Day
97-505 Adult Day Services Week
97-506 Adult Immunization Awareness Week
97-507 Illinois State Great Caltrish Cookoff and
Murphysboro Barbecue Championship Days
97-508 Swedish Council of America Day
97-509 American Heart Association Day
97-510 Congratulations James and Kelly Lovett
97-511 Marianjoy Day
97-512 Roberts Temple Church of God in Christ Founder's
Week Celebration
97-513 KPMG's World of Spirit Day
97-514 Northwestern Memorial Hospital Day

Title 2 cont		(A-5154)
951.50	am	(A-5154)
951.60	am	(A-5154)
951.70	am	(A-5154)
1175	re	(CC-9327)
1176	re	(CC-9327)
1177	re	(CC-9327)
1720.310	am	(A-11927)
2250.10	r	(P-867)
2250.20	r	(P-867)
2250.30	r	(P-867)
2250.40	r	(P-867)
2250.50	r	(P-867)
2250.60	r	(P-867)
2250.70	r	(P-867)
2250.80	r	(P-867)
2250.90	r	(P-867)
2251.00	r	(P-867)
2251.10	r	(P-867)
2251.20	r	(P-867)
2251.30	r	(P-867)
2251.40	r	(P-867)
2251.50	r	(P-867)
2251.60	r	(P-867)
2251.70	r	(P-867)
2251.80	r	(P-867)
2251.90	r	(P-867)
2252.00	r	(P-867)
2252.10	r	(P-867)
2252.20	r	(P-867)
2252.30	r	(P-867)
2252.40	r	(P-867)
2252.50	r	(P-867)
2252.60	r	(P-867)
2252.70	r	(P-867)
2252.80	r	(P-867)
2252.90	r	(P-867)
2253.00	r	(P-867)
2253.10	r	(P-867)
2253.20	r	(P-867)
2253.30	r	(P-867)
2253.40	r	(P-867)
2253.50	r	(P-867)
2253.60	r	(P-867)
2253.70	r	(P-867)
2253.80	r	(P-867)
2253.90	r	(P-867)
2254.00	r	(P-867)
2254.10	r	(P-867)
2254.20	r	(P-867)
2254.30	r	(P-867)
2254.40	r	(P-867)
2254.50	r	(P-867)
2254.60	r	(P-867)
2254.70	r	(P-867)
2254.80	r	(P-867)
2254.90	r	(P-867)
2255.00	r	(P-867)
2255.10	r	(P-867)
2255.20	r	(P-867)
2255.30	r	(P-867)
2255.40	r	(P-867)
2255.50	r	(P-867)
2255.60	r	(P-867)
2255.70	r	(P-867)
2255.80	r	(P-867)
2255.90	r	(P-867)
2256.00	r	(P-867)
2256.10	r	(P-867)
2256.20	r	(P-867)
2256.30	r	(P-867)
2256.40	r	(P-867)
2256.50	r	(P-867)
2256.60	r	(P-867)
2256.70	r	(P-867)
2256.80	r	(P-867)
2256.90	r	(P-867)
2257.00	r	(P-867)
2257.10	r	(P-867)
2257.20	r	(P-867)
2257.30	r	(P-867)
2257.40	r	(P-867)
2257.50	r	(P-867)
2257.60	r	(P-867)
2257.70	r	(P-867)
2257.80	r	(P-867)
2257.90	r	(P-867)
2258.00	r	(P-867)
2258.10	r	(P-867)
2258.20	r	(P-867)
2258.30	r	(P-867)
2258.40	r	(P-867)
2258.50	r	(P-867)
2258.60	r	(P-867)
2258.70	r	(P-867)
2258.80	r	(P-867)
2258.90	r	(P-867)
2259.00	r	(P-867)
2259.10	r	(P-867)
2259.20	r	(P-867)
2259.30	r	(P-867)
2259.40	r	(P-867)
2259.50	r	(P-867)
2259.60	r	(P-867)
2259.70	r	(P-867)
2259.80	r	(P-867)
2259.90	r	(P-867)
2260.00	r	(P-867)
2260.10	r	(P-867)
2260.20	r	(P-867)
2260.30	r	(P-867)
2260.40	r	(P-867)
2260.50	r	(P-867)
2260.60	r	(P-867)
2260.70	r	(P-867)
2260.80	r	(P-867)
2260.90	r	(P-867)
2261.00	r	(P-867)
2261.10	r	(P-867)
2261.20	r	(P-867)
2261.30	r	(P-867)
2261.40	r	(P-867)
2261.50	r	(P-867)
2261.60	r	(P-867)
2261.70	r	(P-867)
2261.80	r	(P-867)
2261.90	r	(P-867)
2262.00	r	(P-867)
2262.10	r	(P-867)
2262.20	r	(P-867)
2262.30	r	(P-867)
2262.40	r	(P-867)

[illegible]

Title 11 cont.			Title 11 cont.		
100.40	n	(P-1355;A-5542)	1320.	r	(P-841)
100.50	n	(P-1355;A-5542)	1411.160	am	(P-14987/96;A-3226)
100.70	am	(P-1355;A-5542)	1422.	r	(P-829)
100.170	am	(P-1355;A-5542)	1431.	r	(P-847)
100.280	am	(P-1355;A-5542)	TITLE 14		
100.330	am	(P-1355;A-5542)	130.110	am	(E-9828/P-11636)
100.340	am	(P-1355;A-5542)	130.120	am	(P-11636)
100.350	am	(P-1355;A-5542)	130.130	am	(P-11636)
200.10	n	(P-862)	130.142	r	(P-11636)
200.20	n	(P-862)	130.145	am	(P-11636)
200.30	n	(P-862)	130.200	am	(P-11636)
200.40	n	(P-862)	130.211	am	(P-11636)
200.50	n	(P-862)	130.212	n	(P-2852;A-7523)
200.60	n	(P-862)	130.234	r	(P-11636)
201.10	n	(P-878)	130.235	r	(P-11636)
201.20	n	(P-878)	130.242	am	(P-11636)
201.30	n	(P-878)	130.246	am	(P-11636)
201.40	n	(P-878)	130.280	am	(E-9828/P-11636)
211.10	n	(P-835)	130.281	n	(E-9828/P-11636)
211.20	n	(P-835)	130.293	n	(P-3570/A-8415)
211.30	n	(P-835)	130.293	n	(P-11636)
211.40	n	(P-835)	130.420	am	(P-11636)
211.50	n	(P-835)	130.440	am	(P-11636)
211.60	n	(P-835)	130.442	am	(P-11636)
211.70	n	(P-835)	130.520	am	(P-11636)
211.80	n	(P-835)	130.530	am	(P-11636)
211.90	n	(P-835)	130.630	am	(P-11636)
211.100	n	(P-835)	130.805	am	(E-9828/P-11636)
211.110	n	(P-835)	130.806	n	(P-11636)
211.120	n	(P-835)	130.810	am	(P-11636)
212.10	n	(P-835)	130.822	am	(P-11636)
212.20	n	(P-835)	130.823	am	(E-9828/P-11636)
212.30	n	(P-835)	130.824	am	(P-11636)
212.40	n	(P-835)	130.826	am	(E-9828/P-11636)
212.50	n	(P-835)	130.832	am	(P-3070;A-7770)
212.60	n	(P-835)	130.832	am	(P-11636)
212.70	n	(P-835)	130.838	n	(E-9828/P-11636)
212.80	n	(P-835)	130.839	n	(E-9828/P-11636)
212.90	n	(P-835)	130.840	am	(P-11636)
212.100	n	(P-835)	130.841	am	(E-9828/P-11636)
212.110	n	(P-835)	130.842	am	(P-11636)
212.120	n	(P-835)	130.843	n	(E-9828/P-11636)
212.130	n	(P-835)	130.845	am	(E-9828/P-11636)
212.140	n	(P-835)	130.852	am	(E-9828/P-11636)
212.150	n	(P-835)	130.852	am	(E-9828/P-11636)
212.160	n	(P-835)	130.854	am	(E-9828/P-11636)
212.170	n	(P-835)	130.873	am	(E-9828/P-11636)
212.180	n	(P-835)	130.873	am	(E-9828/P-11636)
212.190	n	(P-835)	130.1102	am	(P-8861)
212.200	n	(P-835)	130.1104	am	(P-8861)
212.210	n	(P-835)	130.1107	am	(P-8861)
			130.1109	am	(P-8861)
			130.1110	am	(P-8861)

Title 11 cont.			Title 11 cont.		
130.1111	am	(P-8861)	130.1111	am	(P-8861)
130.1114	r	(P-8861)	130.1114	r	(P-8861)
130.1115	am	(P-8861)	130.1115	am	(P-8861)
130.1118	am	(P-8861)	130.1118	am	(P-8861)
130.1123	am	(P-8861)	130.1123	am	(P-8861)
130.1124	am	(P-8861)	130.1124	am	(P-8861)
130.1126	am	(P-8861)	130.1126	am	(P-8861)
130.1129	am	(P-8861)	130.1129	am	(P-8861)
130.1130	n	(P-8861)	130.1130	n	(P-8861)
130.1131	n	(P-8861)	130.1131	n	(P-8861)
150.220	am	(P-10019)	150.220	am	(P-10019)
165.75	n	(P-10032)	165.75	n	(P-10032)
170.17	am	(P-10028)	170.17	am	(P-10028)
178.40	am	(P-10023)	178.40	am	(P-10023)
178.50	am	(P-10023)	178.50	am	(P-10023)
550.40	am	(A-11515/96;A-9732)	550.40	am	(A-11515/96;A-9732)
550.50	am	(A-11515/96;A-9732)	550.50	am	(A-11515/96;A-9732)
TITLE 17			TITLE 17		
120.10	n	(P-13480)	120.10	n	(P-13480)
120.20	n	(P-13480)	120.20	n	(P-13480)
120.30	n	(P-13480)	120.30	n	(P-13480)
130.50	am	(P-3809;A-9034)	130.50	am	(P-3809;A-9034)
130.60	am	(P-3809;A-9034)	130.60	am	(P-3809;A-9034)
130.70	am	(P-3809;A-9034)	130.70	am	(P-3809;A-9034)
130.80	am	(P-3809;A-9034)	130.80	am	(P-3809;A-9034)
530.70	am	(P-4186;A-9042)	530.70	am	(P-4186;A-9042)
530.80	am	(P-4186;A-9042)	530.80	am	(P-4186;A-9042)
530.90	am	(P-4186;A-9042)	530.90	am	(P-4186;A-9042)
530.100	am	(P-4186;A-9042)	530.100	am	(P-4186;A-9042)
530.105	am	(P-4186;A-9042)	530.105	am	(P-4186;A-9042)
530.110	am	(P-4186;A-9042)	530.110	am	(P-4186;A-9042)
530.115	am	(P-4186;A-9042)	530.115	am	(P-4186;A-9042)
550.30	am	(P-4255;A-9077)	550.30	am	(P-4255;A-9077)
570.40	am	(P-4248;A-9070)	570.40	am	(P-4248;A-9070)
590.10	am	(P-12994/96;P-578)	590.10	am	(P-12994/96;P-578)
	am	(P-4215;A-11713)		am	(P-4215;A-11713)
	am	(P-12805)		am	(P-12805)
590.15	am	(P-4215;A-11713)	590.15	am	(P-4215;A-11713)
590.20	am	(P-4215;A-11713)	590.20	am	(P-4215;A-11713)
590.50	am	(P-4215;A-11713)	590.50	am	(P-4215;A-11713)
590.60	am	(P-12994/96;P-578)	590.60	am	(P-12994/96;P-578)
	am	(P-4215;A-11713)		am	(P-4215;A-11713)
590.80	am	(P-12994/96;P-578)	590.80	am	(P-12994/96;P-578)
	am	(P-4215;A-11713)		am	(P-4215;A-11713)
650.20	am	(P-3817;A-9116)	650.20	am	(P-3817;A-9116)
650.40	am	(P-531;A-5572)	650.40	am	(P-531;A-5572)
650.60	am	(P-531;A-5572)	650.60	am	(P-531;A-5572)
660.20	am	(P-3823;A-9122)	660.20	am	(P-3823;A-9122)
660.22	am	(P-3823)	660.22	am	(P-3823)

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Title 17 cont.		
660.40 am	(P-542-A-5583)	1522.10 n
660.60 am	(P-542-A-5583)	1522.20 n
670.40 am	(P-520-A-5561)	1522.30 n
670.60 am	(P-520-A-5561)	1522.40 n
680.20 am	(P-4285-A-9128)	1522.50 n
680.50 am	(P-4285-A-9128)	1522.60 n
685.10 am	(P-10001)	1522.70 n
690.30 am	(P-4263-A-9095)	1522.80 n
710.10 am	(P-15145/96-A-3125)	1522.90 n
	(P-13465)	1522 EX A n
	(P-13465)	1522 EX B n
	(P-13465)	1522 EX C n
710.20 am	(P-13465)	1585.10 n
710.22 am	(P-13465)	1585.20 n
710.28 am	(P-13465)	1585.30 n
710.30 n	(P-15145/96-A-3125)	1585.40 n
	(P-13465)	1585.50 n
710.50 am	(P-15145/96-A-3125)	1590.20 am
	(P-13465)	1590.30 am
710.55 n	(P-13465)	1590.40 am
		1590.50 am
715.10 am	(P-4279-A-9110)	2010.20 am
715.40 am	(P-4279-A-9110)	2010.30 am
720.10 am	(P-4271-A-9102)	2010.40 am
720.20 am	(P-4271-A-9102)	2010.50 am
720.40 am	(P-4271-A-9102)	2010.60 am
730.20 am	(P-4835-A-9061/A-11700)	2010.80 am
730.30 am	(P-4835-A-11700)	2010.90 am
740.20 am	(P-4206-A-9061)	2520.10 am
810.35 am	(P-16064/96-A-4709)	2520.20 am
810.37 am	(P-16064/96-A-4709)	2520.30 am
810.45 am	(P-16064/96-A-4709)	2650.10 n
	(P-5397-A-12140/E-5590)	2650.20 n
810.50 am	(P-16064/96-A-4709)	2650.30 n
810.60 r	(P-16064/96-A-4709)	2650.40 n
810.70 am	(P-16064/96-A-4709)	2650.50 n
810.80 am	(P-16064/96-A-4709)	3020.20 am
830.10 am	(P-16055/96-A-4700)	3020.30 am
830.20 am	(P-16055/96-A-4700)	3020.40 am
830.30 am	(P-16055/96-A-4700)	3020.50 am
830.40 am	(P-16055/96-A-4700)	3020.70 am
830.60 am	(P-16055/96-A-4700)	3020.80 am
830.70 am	(P-16055/96-A-4700)	4000 re
830.80 am	(P-16055/96-A-4700)	4005 re
830.90 am	(P-16055/96-A-4700)	4010 re
850.20 am	(P-322-A-5553)	4190.101 n
	(PF-4338-W-5661)	
	(P-322-A-5553)	
850.50 am	(PF-4338-W-5661)	4190.102 n
	(P-322-A-5553)	
850.80 am	(PF-4338-W-5661)	4190.103 n
	(P-15138/96-A-3118)	
1010.25 am	(P-15138/96-A-3118)	4190.104 n
1010.30 am	(P-15138/96-A-3118)	
Title 17 cont.		
4190.105 n	(P-10496/96/O-495)	4190.410 n
	(W-1732/P-6642)	
4190.106 n	(P-10496/96/O-495)	4190.501 n
	(W-1732/P-6642)	
4190.107 n	(P-10496/96/O-495)	4190.601 n
	(W-1732/P-6642)	
4190.108 n	(P-10496/96/O-495)	4190.602 n
	(W-1732/P-6642)	
4190.109 n	(P-10496/96/O-495)	4190.603 n
	(W-1732/P-6642)	
4190.110 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.111 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.112 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.201 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.202 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.203 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.204 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.205 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.206 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.301 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.302 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.303 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.401 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.402 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.403 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.404 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.405 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.406 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.407 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.408 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	
4190.409 n	(P-10496/96/O-495)	
	(W-1732/P-6642)	

Title 20 cont.	504 290	am	(P-12281)	525.20	am	(P-2780.A-7139)
	504 300	am	(P-12281)	525.110	am	(P-2780.A-7139)
	504 300	am	(P-12281)	525.110	am	(P-2780.A-7139)
	504 405	am	(P-12281)	525.130	am	(E-641)
504 410	am	(P-12281)				(O-3332)(RS-5004)
504 420	am	(P-12281)			am	(P-2780.A-7139)
504 430	am	(P-12281)			am	(P-14502/96.A-3835)
504 440	am	(P-12281)		525.140	am	(P-14502/96.A-3835)
504 450	am	(P-12281)		701.5	am	(P-14502/96.A-3835)
504 460	am	(P-12281)		701.10	am	(P-14502/96.A-3835)
504 470	am	(P-12281)		701.20	am	(P-14502/96.A-3835)
504 480	am	(P-12281)		701.30	am	(P-14502/96.A-3835)
504 490	am	(P-12281)		701.40	am	(P-14502/96.A-3835)
504 500	am	(P-12281)		701.50	am	(P-14502/96.A-3835)
504 510	am	(P-12281)		701.60	am	(P-14502/96.A-3835)
504 605	am	(P-12281)		701.70	am	(P-14502/96.A-3835)
504 610	am	(P-12281)		701.80	am	(P-14502/96.A-3835)
504 620	am	(P-12281)		701.90	am	(P-14502/96.A-3835)
504 630	am	(P-12281)		701.100	am	(P-14502/96.A-3835)
504 650	am	(P-12281)		701.110	am	(P-14502/96.A-3835)
504 660	am	(P-12281)		701.120	am	(P-14502/96.A-3835)
504 670	n	(P-12281)		701.130	am	(P-14502/96.A-3835)
504 715	am	(P-12281)		701.140	am	(P-14502/96.A-3835)
504 720	am	(P-12281)		701.150	am	(P-14502/96.A-3835)
504 730	am	(P-12281)		701.160	am	(P-14502/96.A-3835)
504 800	am	(P-12281)		701.170	am	(P-14502/96.A-3835)
504 805	am	(P-12281)		701.180	am	(P-14502/96.A-3835)
504 810	am	(P-12281)		701.190	am	(P-14502/96.A-3835)
504 820	am	(P-12281)		701.200	am	(P-14502/96.A-3835)
504 830	am	(P-12281)		701.210	am	(P-14502/96.A-3835)
504 840	am	(P-12281)		701.220	am	(P-14502/96.A-3835)
504 850	am	(P-12281)		701.230	am	(P-14502/96.A-3835)
504 860	am	(P-12281)		701.240	am	(P-14502/96.A-3835)
504 870	am	(P-12281)		701.250	am	(P-14502/96.A-3835)
504 910	am	(P-12281)		701.260	am	(P-14502/96.A-3835)
504 920	am	(P-12281)		701.270	am	(E-626)
504 930	am	(P-12281)		701.280	n	(P-14502/96.A-3835)
504 Tb A	am	(P-12281)		701.290	n	(E-626)
504 Tb B	am	(P-12281)		1215.20	am	(P-5464)
504 Tb C	am	(P-12281)		1215.30	am	(P-5464)
505.10	n	(P-12274)		1215.40	am	(P-5464)
505.15	n	(P-12274)		1215.60	n	(P-5464)
505.20	n	(P-12274)		1215.70	n	(P-5464)
505.30	n	(P-12274)		1215.80	n	(P-5464)
505.40	n	(P-12274)		1265.10	n	(P-3077/96.A-1210)
505.50	n	(P-12274)		1265.20	n	(P-3077/96.A-1210)
505.60	n	(P-12274)		1265.30	n	(P-3077/96.A-1210)
505.70	n	(P-12274)		1275.10	n	(P-10313/96.A-1215)
505.80	n	(P-12274)		1275.20	n	(P-10313/96.A-1215)
505.90	n	(P-12274)		1275.30	n	(P-10313/96.A-1215)
505.100	n	(P-12274)		1285.10	am	(P-469)
505.110	n	(P-12274)		1285.10	am	(P-469)

Title 20 cont	am	(P-5469)	525 140	am	(P-8585/96;A-2172)
1285 80	am	(P-5469)	525 160	am	(P-8585/96;A-2172)
1520 10	am	(P-752;A-8909)	625 10	am	(P-4913;A-11551)
		(E-651)	625 20	am	(P-4913;A-11551)
1520 30	r	(P-752;A-8909)	625 30	am	(P-4913;A-11551)
1520 45	r	(P-752;A-8909)	625 40	am	(P-4913;A-11551)
1520 47	am	(P-752;A-8909)	625 50	am	(P-4913;A-11551)
1520 48	n	(P-752;A-8909)	1400 10	am	(P-7808;A-13315)
		(E-651)	1400 20	am	(P-7808;A-13315)
1520 50	am	(P-752;A-8909)	1400 30	am	(P-7808;A-13315)
		(E-651)	1400 40	am	(P-7808;A-13315)
			1400 50	am	(P-7808;A-13315)
			1400 55	am	(P-7808;A-13315)
			1400 60	am	(P-7808;A-13315)
			1400 70	am	(P-7808;A-13315)
			1400 80	am	(P-7808;A-13315)
			1400 90	am	(P-7808;A-13315)
			1400 105	n	(P-7808;A-13315)
			1400 110	am	(P-7808;A-13315)
			1400 115	n	(P-7808;A-13315)
			1400 116	n	(P-7808;A-13315)
			1400 117	n	(P-7808;A-13315)
			1400 160	am	(P-7808;A-13315)
			1400 175	n	(P-7808;A-13315)
			1400 180	am	(P-7808;A-13315)
			1400 190	am	(P-7808;A-13315)
			1400 210	n	(P-7808;A-13315)
			1501 102	am	(P-14674/96;A-5891)
			1501 114	am	(P-8745)
			1501 201	am	(P-8745)
			1501 301	am	(P-5968)
			1501 302	am	(P-5968)
			1501 308	am	(P-8745)
			1501 402	am	(P-15130/96;A-5891)
			1501 501	am	(A-8745)
			1501 507	am	(P-15130/96;A-5891)
			1501 510	am	(P-8745)
			1501 519	n	(P-14674/96;A-5891)
			1501 520	n	(P-1527/96;A-5891)
			1501 521	am	(P-5968)
			1501 522	am	(P-8745)
			1501 604	am	(P-14353/96;A-5891)
			1501 608	am	(P-14353/96;A-5891)
			2310 80	am	(P-3365;A-8926)
			2700 10	am	(P-1892;A-11066)
			2700 20	am	(P-1892;A-11066)
			2700 30	am	(P-1892;A-11066)
			2700 40	am	(P-1892;A-11066)
			2700 50	am	(P-1892;A-11066)
			2700 60	am	(P-1892;A-11066)
			2700 70	am	(P-1892;A-11066)
			2720 5	am	(P-863;A-11038)

Title 23 cont.	n	(P-1921,A-11090)	n	(P-2120,A-11222)	n	(P-2133,A-11232)
2720 6	r	(P-1863,A-11038)	r	(P-1914,A-11088)	r	(P-2128,A-11230)
2720 10	am	(P-1863,A-11038)	n	(P-1921,A-11090)	n	(P-2133,A-11232)
2720 20	am	(P-1863,A-11038)	n	(P-1914,A-11088)	r	(P-2128,A-11230)
2720 25	am	(P-1863,A-11038)	n	(P-1921,A-11090)	n	(P-2133,A-11232)
2720 30	am	(P-1863,A-11038)	n	(P-1914,A-11088)	n	(P-2133,A-11232)
2720 35	am	(P-1863,A-11038)	r	(P-1985,A-11137)	r	(P-1829,A-11016)
2720 40	am	(P-1863,A-11038)	n	(P-1993,A-11139)	n	(P-1833,A-11018)
2720 41	am	(P-1863,A-11038)	r	(P-1985,A-11137)	r	(P-1829,A-11016)
2720 42	am	(P-1863,A-11038)	r	(P-1993,A-11139)	n	(P-1837,A-11018)
2720 50	am	(P-1863,A-11038)	r	(P-1985,A-11137)	r	(P-1829,A-11016)
2720 55	am	(P-1863,A-11038)	n	(P-1993,A-11139)	n	(P-1837,A-11018)
2720 60	am	(P-1863,A-11038)	r	(P-1993,A-11139)	n	(P-1837,A-11018)
2720 70	am	(P-1863,A-11038)	r	(P-2048,A-11182)	r	(P-1829,A-11016)
2720 80	am	(P-1863,A-11038)	n	(P-2062,A-11184)	r	(P-1829,A-11016)
2720 90	am	(P-1863,A-11038)	n	(P-2048,A-11182)	n	(P-1833,A-11018)
2720 105	am	(P-1863,A-11038)	n	(P-2062,A-11184)	am	(P-2002,A-11148)
2720 120	am	(P-1863,A-11038)	r	(P-2048,A-11182)	am	(P-2002,A-11148)
2720 130	am	(P-1863,A-11038)	r	(P-2062,A-11184)	am	(P-2002,A-11148)
2720 200	am	(P-1863,A-11038)	r	(P-2048,A-11182)	am	(P-2002,A-11148)
2720 210	am	(P-1863,A-11038)	r	(P-2062,A-11184)	am	(P-2002,A-11148)
2720 220	am	(P-1863,A-11038)	r	(P-2048,A-11182)	am	(P-2002,A-11148)
2721 10	r	(P-1818,A-11009)	n	(P-2062,A-11184)	am	(P-2002,A-11148)
2721 20	r	(P-1824,A-11011)	n	(P-2048,A-11182)	am	(P-2002,A-11148)
2721 30	r	(P-1818,A-11009)	n	(P-2062,A-11184)	am	(P-2002,A-11148)
2721 40	r	(P-1824,A-11011)	n	(P-2048,A-11182)	am	(P-2002,A-11148)
2721 50	r	(P-1818,A-11009)	n	(P-2062,A-11184)	am	(P-2002,A-11148)
2721 60	r	(P-1818,A-11009)	n	(P-1948,A-11110)	am	(P-2002,A-11148)
2721 70	r	(P-1818,A-11009)	n	(P-1942,A-11108)	am	(P-2002,A-11148)
2730 5	r	(P-1955,A-11117)	n	(P-1948,A-11110)	am	(P-2002,A-11148)
2730 10	r	(P-1955,A-11117)	n	(P-1942,A-11108)	am	(P-2002,A-11148)
2730 20	r	(P-1955,A-11117)	n	(P-1948,A-11110)	am	(P-2002,A-11148)
2730 30	n	(P-1962,A-11119)	n	(P-1942,A-11108)	am	(P-2002,A-11148)
2730 40	n	(P-1962,A-11119)	r	(P-1942,A-11108)	am	(P-2002,A-11148)
2731 10	r	(P-1928,A-11098)	r	(P-2093,A-11209)	am	(P-2002,A-11148)
2731 20	n	(P-1935,A-11100)	r	(P-2102,A-11211)	am	(P-2002,A-11148)
2731 30	r	(P-1928,A-11098)	n	(P-2093,A-11209)	am	(P-2002,A-11148)
2731 40	n	(P-1928,A-11098)	n	(P-2102,A-11211)	am	(P-2002,A-11148)
2731 50	n	(P-1935,A-11100)	r	(P-2093,A-11209)	am	(P-2002,A-11148)
2732 10	r	(P-1914,A-11088)	r	(P-2102,A-11211)	am	(P-2002,A-11148)
2732 20	n	(P-1921,A-11090)	r	(P-2111,A-11220)	am	(P-2002,A-11148)
2732 30	r	(P-1914,A-11088)	r	(P-2111,A-11220)	am	(P-2002,A-11148)

Title 23 cont	3060 800	am	(P-14991/96;A-4981)	332 100	am	(P-14683/96;A-3897)
TITLE 26	100 40	am	(P-3017;A-10044)	332 110	am	(P-14683/96;A-3897)
	100 70	am	(P-3017;A-10044)	332 140	am	(P-14683/96;A-3897)
100 120	n	(P-3017;A-10044)	332 150	am	(P-14683/96;A-3897)	
	207 140	n	(P-5763/96;A-2634)	332 170	am	(P-14683/96;A-3897)
207 Ap B	am	(P-5763/96;A-2634)	332 240	am	(P-14683/96;A-3897)	
	216 10	n	(P-14113/96;A-4610)	332 250	am	(P-14683/96;A-3897)
216 20	n	(P-14113/96;A-4610)	332 280	am	(P-14683/96;A-3897)	
	216 20	n	(P-14113/96;A-4610)	332 290	am	(P-14683/96;A-3897)
216 30	n	(P-14113/96;A-4610)	401 10	am	(P-6134;A-13587)	
	216 30	n	(P-14113/96;A-4610)	401 60	am	(P-6134;A-13587)
216 40	n	(P-14113/96;A-4610)	401 70	am	(P-6134;A-13587)	
	216 40	n	(P-14113/96;A-4610)	401 80	am	(P-6134;A-13587)
216 50	n	(P-14113/96;A-4610)	401 100	am	(P-6134;A-13587)	
	216 60	n	(P-14113/96;A-4610)	401 160	am	(P-6134;A-13587)
216 70	n	(P-14113/96;A-4610)	TITLE 35			
	216 80	n	(P-14113/96;A-4610)	183 115	am	(P-6948)
216 90	n	(P-14113/96;A-4610)	183 120	am	(P-6948)	
	216 100	n	(P-14113/96;A-4610)	183 150	am	(P-6948)
216 Ex A	n	(P-14113/96;A-4610)	183 205	rc	(P-6948)	
	216 Ex B	n	(P-14113/96;A-4610)	183 210	rc	(P-6948)
216 Ex C	n	(P-14113/96;A-4610)	183 215	rc	(P-6948)	
	216 Ex D	n	(P-14113/96;A-4610)	183 220	rc	(P-6948)
216 Ex E	n	(P-14113/96;A-4610)	183 225	rc	(P-6948)	
	216 Ex F	n	(P-14113/96;A-4610)	183 230	rc	(P-6948)
216 Ex G	n	(P-14113/96;A-4610)	183 231	rc	(P-6948)	
	216 Ex H	n	(P-14113/96;A-4610)	183 235	rc	(P-6948)
TITLE 29	620 10	am	(P-7789)	183 240	rc	(P-6948)
	620 20	am	(P-7789)	183 245	rc	(P-6948)
620 30	am	(P-7789)	183 250	rc	(P-6948)	
	620 40	am	(P-7789)	183 255	rc	(P-6948)
620 50	am	(P-7789)	183 Ap A	rc	(P-6948)	
	620 60	am	(P-7789)	183 Ap B	rc	(P-6948)
620 70	am	(P-7789)	185 100	n	(P-13224)	
	620 80	am	(P-7789)	185 102	n	(P-13224)
620 90	am	(P-7789)	185 104	n	(P-13224)	
	620 100	am	(P-7789)	185 106	n	(P-13224)
620 200	am	(P-7789)	185 108	n	(P-13224)	
	620 210	am	(P-7789)	185 200	n	(P-13224)
620 220	am	(P-7789)	185 202	n	(P-13224)	
	620 230	am	(P-7789)	185 300	n	(P-13224)
620 240	am	(P-7789)	185 302	n	(P-13224)	
	620 250	am	(P-7789)	185 304	n	(P-13224)
TITLE 32	331 200	am	(P-4369;A-10968)(E-4309)	185 400	n	(P-13224)
	332 10	am	(P-14683/96;A-3897)	185 402	n	(P-13224)
332 20	am	(P-14683/96;A-3897)	185 404	n	(P-13224)	
	332 40	am	(P-14683/96;A-3897)	185 406	n	(P-13224)
332 60	am	(P-14683/96;A-3897)	185 410	n	(P-13224)	
	332 70	am	(P-14683/96;A-3897)	185 412	n	(P-13224)
332 80	am	(P-14683/96;A-3897)	185 414	n	(P-13224)	
	332 90	am	(P-14683/96;A-3897)	185 416	n	(P-13224)

Title 35 cont.			
185.416	n	(P-13224)	205.500
185.416	n	(P-13224)	205.510
186.105	n	(P-6979)	205.600
186.110	n	(P-6979)	205.610
186.115	n	(P-6979)	205.620
186.120	n	(P-6979)	205.630
186.125	n	(P-6979)	205.700
186.130	n	(P-6979)	205.710
186.135	n	(P-6979)	205.720
186.140	n	(P-6979)	205.730
186.145	n	(P-6979)	205.740
186.150	n	(P-6979)	205.750
186.155	n	(P-6979)	205.760
186.160	n	(P-6979)	211.1467
186.165	n	(P-6979)	211.1520
186.170	n	(P-6979)	211.1885
186.175	n	(P-6979)	211.2285
186.180	n	(P-6979)	211.6420
186.185	n	(P-6979)	211.7150
186.190	n	(P-6979)	211.7200
186.195	n	(P-6979)	218.182
186.200	n	(P-6979)	218.204
186.205	n	(P-6979)	218.205
186.210	n	(P-6979)	218.210
186.215	n	(P-6979)	218.211
186.220	n	(P-6979)	218.215
186.225	n	(P-6979)	218.216
186.230	n	(P-6979)	218.217
186.235	n	(P-6979)	218.218
186.240	n	(P-6979)	218.219
186.245	n	(P-6979)	218.220
186.250	n	(P-6979)	218.221
186.255	n	(P-6979)	218.222
186.260	n	(P-6979)	218.223
186.265	n	(P-6979)	218.224
186.270	n	(P-6979)	218.225
186.275	n	(P-6979)	218.226
186.280	n	(P-6979)	218.227
186.285	n	(P-6979)	218.228
186.290	n	(P-6979)	218.229
186.295	n	(P-6979)	218.230
186.300	n	(P-6979)	218.231
186.305	n	(P-6979)	218.232
186.310	n	(P-6979)	218.233
186.315	n	(P-6979)	218.234
186.320	n	(P-6979)	218.235
186.325	n	(P-6979)	218.236
186.330	n	(P-6979)	218.237
186.335	n	(P-6979)	218.238
186.340	n	(P-6979)	218.239
186.345	n	(P-6979)	218.240
186.350	n	(P-6979)	218.241
186.355	n	(P-6979)	218.242
186.360	n	(P-6979)	218.243
186.365	n	(P-6979)	218.244
186.370	n	(P-6979)	218.245
186.375	n	(P-6979)	218.246
186.380	n	(P-6979)	218.247
186.385	n	(P-6979)	218.248
186.390	n	(P-6979)	218.249
186.395	n	(P-6979)	218.250
186.400	n	(P-6979)	218.251
186.405	n	(P-6979)	218.252
186.410	n	(P-6979)	218.253
186.415	n	(P-6979)	218.254
186.420	n	(P-6979)	218.255
186.425	n	(P-6979)	218.256
186.430	n	(P-6979)	218.257
186.435	n	(P-6979)	218.258
186.440	n	(P-6979)	218.259
186.445	n	(P-6979)	218.260
186.450	n	(P-6979)	218.261
186.455	n	(P-6979)	218.262
186.460	n	(P-6979)	218.263
186.465	n	(P-6979)	218.264
186.470	n	(P-6979)	218.265
186.475	n	(P-6979)	218.266
186.480	n	(P-6979)	218.267
186.485	n	(P-6979)	218.268
186.490	n	(P-6979)	218.269
186.495	n	(P-6979)	218.270
186.500	n	(P-6979)	218.271
186.505	n	(P-6979)	218.272
186.510	n	(P-6979)	218.273
186.515	n	(P-6979)	218.274
186.520	n	(P-6979)	218.275
186.525	n	(P-6979)	218.276
186.530	n	(P-6979)	218.277
186.535	n	(P-6979)	218.278
186.540	n	(P-6979)	218.279
186.545	n	(P-6979)	218.280
186.550	n	(P-6979)	218.281
186.555	n		

Title 35 cont.			Title 35 cont.			Title 35 cont.		
251.101 am	(P-8759)	302 535	n	(P-8785)	368 220	n	(P-10183)	
251.103 am	(P-8759)	302 540	n	(P-8785)	368 230	n	(P-10183)	
251.201 am	(P-8759)	302 545	n	(P-8785)	368 240	n	(P-10183)	
251.203 am	(P-8759)	302 550	n	(P-8785)	368 250	n	(P-10183)	
251.208 am	(P-8759)	302 553	n	(P-8785)	370 100	am	(P-12832/97,A-12444)	
251.301 am	(P-8759)	302 555	n	(P-8785)	370 110	am	(P-12832/97,A-12444)	
251.310 am	(P-8759)	302 560	n	(P-8785)	370 115	n	(P-12832/97,A-12444)	
255 100 n	(P-12543/96,A-3581)	302 563	n	(P-8785)	370 200	am	(P-12832/97,A-12444)	
255 110 n	(P-12543/96,A-3581)	302 565	n	(P-8785)	370 210	am	(P-12832/97,A-12444)	
255 120 n	(P-12543/96,A-3581)	302 570	n	(P-8785)	370 211	n	(P-12832/97,A-12444)	
255 140 n	(P-12543/96,A-3581)	302 575	n	(P-8785)	370 220	am	(P-12832/97,A-12444)	
255 150 n	(P-12543/96,A-3581)	302 580	n	(P-8785)	370 230	am	(P-12832/97,A-12444)	
255 160 n	(P-12543/96,A-3581)	302 585	n	(P-8785)	370 250	am	(P-12832/97,A-12444)	
255 170 n	(P-12543/96,A-3581)	302 590	n	(P-8785)	370 260	am	(P-12832/97,A-12444)	
255 180 n	(P-12543/96,A-3581)	302 595	n	(P-8785)	370 300	am	(P-12832/97,A-12444)	
255 190 n	(P-12543/96,A-3581)	304 122	am	(P-10760/96,A-364)	370 310	am	(P-12832/97,A-12444)	
255 200 n	(P-12543/96,A-3581)	304 214	am	(P-13500)	370 340	am	(P-12832/97,A-12444)	
255 210 n	(P-12543/96,A-3581)	304 301	r	(P-10760/96,A-364)	370 350	am	(P-12832/97,A-12444)	
255 220 n	(P-12543/96,A-3581)	307 3501	am	(P-5997,A-11930)	370 400	am	(P-12832/97,A-12444)	
255 230 n	(P-12543/96,A-3581)	307 3502	am	(P-5997,A-11930)	370 410	am	(P-12832/97,A-12444)	
255 240 n	(P-12543/96,A-3581)	307 3506	am	(P-5997,A-11930)	370 420	am	(P-12832/97,A-12444)	
275 100 n	(P-1342,A-7150)	307 3508	am	(P-5997,A-11930)	370 430	am	(P-12832/97,A-12444)	
275 110 n	(P-1342,A-7150)	307 6500	am	(P-5997,A-11930)	370 450	am	(P-12832/97,A-12444)	
275 120 n	(P-1342,A-7150)	307 6503	am	(P-5997,A-11930)	370 470	am	(P-12832/97,A-12444)	
275 130 n	(P-1342,A-7150)	307 6505	am	(P-5997,A-11930)	370 500	am	(P-12832/97,A-12444)	
275 140 n	(P-1342,A-7150)	310 107	am	(P-1147,A-5163)	370 510	am	(P-12832/97,A-12444)	
275 200 n	(P-1342,A-7150)	352 107	n	(P-13416)	370 520	am	(P-12832/97,A-12444)	
275 210 n	(P-1342,A-7150)	352 101	n	(P-13416)	370 530	am	(P-12832/97,A-12444)	
275 220 n	(P-1342,A-7150)	352 102	n	(P-13416)	370 540	am	(P-12832/97,A-12444)	
275 230 n	(P-1342,A-7150)	352 103	n	(P-13416)	370 550	am	(P-12832/97,A-12444)	
275 240 n	(P-1342,A-7150)	352 104	n	(P-13416)	370 560	am	(P-12832/97,A-12444)	
275 Ap A	(P-1342,A-7150)	352 105	n	(P-13416)	370 570	am	(P-12832/97,A-12444)	
302 101 am	(P-8785)	352 106	n	(P-13416)	370 600	n	(P-12832/97,A-12444)	
302 105 am	(P-8785)	352 200	n	(P-13416)	370 610	am	(P-12832/97,A-12444)	
302 202 am	(P-10539/96,A-370)	352 300	n	(P-13416)	370 620	am	(P-12832/97,A-12444)	
302 209 am	(P-10539/96,A-370)	352 302	n	(P-13416)	370 630	#	(P-12832/97,A-12444)	
302 212 am	(P-10539/96,A-370)	352 303	n	(P-13416)	370 700	am	(P-12832/97,A-12444)	
302 213 n	(P-10539/96,A-370)	352 410	n	(P-13416)	370 710	am	(P-12832/97,A-12444)	
302 501 am	(P-8785)	352 412	n	(P-13416)	370 720	am	(P-12832/97,A-12444)	
302 502 am	(P-8785)	352 421	n	(P-13416)	370 730	am	(P-12832/97,A-12444)	
302 503 am	(P-8785)	352 422	n	(P-13416)	370 740	am	(P-12832/97,A-12444)	
302 504 am	(P-8785)	352 423	n	(P-13416)	370 750	am	(P-12832/97,A-12444)	
302 505 am	(P-8785)	352 424	n	(P-13416)	370 800	am	(P-12832/97,A-12444)	
302 507 am	(P-8785)	352 425	n	(P-13416)	370 810	am	(P-12832/97,A-12444)	
302 508 am	(P-8785)	352 430	n	(P-13416)	370 820	am	(P-12832/97,A-12444)	
302 510 n	(P-8785)	352 440	n	(P-13416)	370 830	am	(P-12832/97,A-12444)	
302 515 n	(P-8785)	352 500	n	(P-13416)	370 845	n	(P-12832/97,A-12444)	
302 520 n	(P-8785)	352 520	n	(P-13416)	370 850	n	(P-12832/97,A-12444)	
302 525 n	(P-8785)	352 530	n	(P-13416)	370 860	am	(P-12832/97,A-12444)	
302 530 n	(P-8785)	352 540	n	(P-13416)	370 870	am	(P-12832/97,A-12444)	
302 540 n	(P-8785)	352 540	n	(P-13416)	370 900	am	(P-12832/97,A-12444)	

Title 35 cont.	am	Il. A	n	(P-2571:A-7942)
742.110	n	Il. B	n	(P-2571:A-7942)
742.115	n	Tb. A	n	(P-2571:A-7942)
742.120	n	Tb. B	n	(P-2571:A-7942)
742.200	n	Tb. C	n	(P-2571:A-7942)
	am	Tb. D	n	(P-2571:A-7942)
		Tb. E	n	(P-2571:A-7942)
742.205	n	(P-9687)		
742.215	n	(P-2571:A-7942)		
742.220	n	(P-2571:A-7942)		
742.225	n	(P-2571:A-7942)		
742.230	n	(P-2571:A-7942)		
742.300	n	(P-2571:A-7942)		
742.305	n	(P-2571:A-7942)		
742.310	n	(P-2571:A-7942)		
742.315	n	(P-2571:A-7942)		
742.320	n	(P-2571:A-7942)		
742.400	n	(P-2571:A-7942)		
742.405	n	(P-2571:A-7942)		
742.410	n	(P-2571:A-7942)		
742.415	n	(P-2571:A-7942)		
742.500	n	(P-2571:A-7942)		
742.505	am	(P-2571:A-7942)		
		(P-9687)		
742.510	n	(P-2571:A-7942)		
742.600	n	(P-2571:A-7942)		
742.605	n	(P-2571:A-7942)		
742.610	n	(P-2571:A-7942)		
742.700	n	(P-2571:A-7942)		
742.705	n	(P-2571:A-7942)		
742.710	n	(P-2571:A-7942)		
742.715	n	(P-2571:A-7942)		
742.720	n	(P-2571:A-7942)		
742.800	n	(P-2571:A-7942)		
742.805	n	(P-2571:A-7942)		
	am	(P-9687)		
742.810	n	(P-2571:A-7942)		
742.900	n	(P-2571:A-7942)		
742.910	n	(P-2571:A-7942)		
742.915	n	(P-2571:A-7942)		
		(P-9687)		
742.920	n	(P-2571:A-7942)		
742.925	n	(P-2571:A-7942)		
742.930	n	(P-2571:A-7942)		
742.1000	n	(P-2571:A-7942)		
742.1005	n	(P-2571:A-7942)		
742.1010	n	(P-2571:A-7942)		
742.1015	n	(P-2571:A-7942)		
742.1020	n	(P-2571:A-7942)		
742.1100	n	(P-2571:A-7942)		
742.1105	n	(P-2571:A-7942)		
742. Ap. A	n	(P-2571:A-7942)		
		Il. D.		

Title 35 cont.	am	Il. A	n	(P-2571:A-7942)
811. App. B	am	(P-18840)		
817.309	am	(P-11554/96;A-1183)		
		(RC-2693;EC-5946)		
TITLE 38				
190.20	am	(P-1127)		
302.10	n	(P-4294)		
302.20	n	(P-4294)		
302.30	n	(P-4294)		
302.40	n	(P-4294)		
305.10	am	(P-4290)		
305.20	am	(P-4290)		
305.30	am	(P-4290)		
307.10	r	(P-13024/96;A-602)		
307.20	r	(P-13024/96;A-602)		
370.10	r	(P-13028/96;A-605)		
370.20	r	(P-13028/96;A-605)		
370.30	r	(P-13028/96;A-605)		
375.10	n	(P-4298)		
375.20	n	(P-4298)		
375.30	n	(P-4298)		
375.40	n	(P-4298)		
375.50	n	(P-4298)		
375.60	n	(P-4298)		
375.70	n	(P-4298)		
380.10	am	(P-4303)		
380.20	am	(P-4303)		
380.30	am	(P-4303)		
610. Ex. A	n	(P-11829)		
800.10	r	(P-3792)		
800.20	r	(P-3792)		
800.30	am	(P-3792)		
800.40	am	(P-3792)		
800.50	am	(P-3792)		
800.60	am	(P-3792)		
1050.180	n	(P-12815)		
1050.430	am	(P-5984-A-10972)		
1050.440	am	(P-5984-A-10972)		
1050.1010	am	(P-5984-A-10972)		
1050.1335	am	(P-5984-A-10972)		
TITLE 41				
100.7	am	(P-1133;A-8942)		
100.110	am	(P-1133;A-8942)		
120.10	am	(P-9780)		
120.15	n	(P-9780)		
120.20	n	(P-9780)		
120.1000	am	(P-9780)		
120.1010	am	(P-9780)		
120.1030	am	(P-9780)		

TITLE 44				TITLE 47 cont.			
525.10	am	(P-3081:A-9413)	n	110.80	am	(P-6134:A-11238)	r
525.20	am	(P-3081:A-9413)	n	110.91	am	(P-6134:A-11238)	r
525.50	am	(P-3081:A-9413)	r	110.230	am	(P-6134:A-11238)	r
525.60	am	(P-3081:A-9413)	n	110.260	am	(P-6134:A-11238)	r
525.70	am	(P-3081:A-9413)	r	110.280	am	(P-6134:A-11238)	r
525.100	am	(P-3081:A-9413)	n	110.330	am	(P-6134:A-11238)	r
525.110	am	(P-3081:A-9413)	r	110.340	am	(P-6134:A-11238)	r
525.300	am	(P-3081:A-9413)	r	110.360	am	(P-6134:A-11238)	r
525.320	am	(P-3081:A-9413)	n	350.101	am	(P-3790:A-9012)(E-4023)	r
525.330	am	(P-3081:A-9413)	n	350.102	am	(P-3790:A-9012)(E-4023)	r
525.400	am	(P-3081:A-9413)	n	350.104	am	(P-3790:A-9012)(E-4023)	r
525.410	am	(P-3081:A-9413)	n	350.201	am	(P-3790:A-9012)(E-4023)	r
525.500	am	(P-3081:A-9413)	n	350.202	am	(P-3790:A-9012)(E-4023)	r
525.510	am	(P-3081:A-9413)	n	350.203	am	(P-3790:A-9012)(E-4023)	r
525.530	am	(P-3081:A-9413)	n	350.204	n	(P-3790:A-9012)(E-4023)	r
525.540	am	(P-3081:A-9413)	n	350.205	am	(P-3790:A-9012)(E-4023)	r
525.600	am	(P-3081:A-9413)	n	350.206	am	(P-3790:A-9012)(E-4023)	r
525.630	am	(P-3081:A-9413)	n	350.207	am	(P-3790:A-9012)(E-4023)	r
525.670	am	(P-3081:A-9413)	n	350.208	am	(P-3790:A-9012)(E-4023)	r
525.700	am	(P-3081:A-9413)	n	350.209	am	(P-3790:A-9012)(E-4023)	r
530.	r	(P-12113)	n	350.210	am	(P-3790:A-9012)(E-4023)	r
535.	r	(P-12113)	n	350.211	am	(P-3790:A-9012)(E-4023)	r
540.	r	(P-12113)	n	350.212	am	(P-3790:A-9012)(E-4023)	r
650.10	am	(P-5473:A-11238)	n	350.213	am	(P-3790:A-9012)(E-4023)	r
650.30	am	(P-5473)	n	350.214	am	(P-3790:A-9012)(E-4023)	r
650.80	am	(P-5473)	n	350.215	am	(P-3790:A-9012)(E-4023)	r
650.110	am	(P-5473)	n	370.101	r	(P-5013:A-13343)	r
650.170	am	(P-5473)	n	370.102	r	(E-5328)	r
650.180	am	(P-5473)	n	370.103	r	(P-5013:A-13343)	r
650.190	am	(P-5473)	n	370.104	r	(E-5328)	r
650.200	am	(P-5473)	n	370.105	r	(E-5328)	r
650.240	am	(P-5473)	n	370.106	r	(P-5013:A-13343)	r
650.260	am	(P-5473)	n	370.107	r	(E-5328)	r
650.280	am	(P-5473)	n	370.108	r	(E-5328)	r
650.310	am	(P-5473)	n	370.109	r	(P-5013:A-13343)	r
650.320	am	(P-5473)	n	370.110	r	(E-5328)	r
650.330	am	(P-5473)	n	370.111	r	(E-5328)	r
650.340	am	(P-5473)	n	370.112	r	(E-5328)	r
650.350	am	(P-5473)	n	370.113	r	(P-5013:A-13343)	r
650.360	am	(P-5473)	n			(E-5328)	r
910.130	r	(P-12785)	n			(P-5013:A-13343)	r
910.140	r	(P-12785)	n			(E-5328)	r
910.160	r	(P-12785)	n			(P-5013:A-13343)	r
980.110	r	(P-12779)	n			(E-5328)	r
980.120	r	(P-12779)	n			(P-5013:A-13343)	r
980.130	r	(P-12779)	n			(E-5328)	r
980.140	r	(P-12779)	n			(P-5013:A-13343)	r
TITLE 47						(E-5328)	r
110.10	am	(P-6134:A-11238)	n			(P-5013:A-13343)	r
110.30	am	(P-6134:A-11238)	n			(E-5328)	r
110.40	am	(P-6134:A-11238)	n			(P-5013:A-13343)	r
110.60	am	(P-6134:A-11238)	n			(E-5328)	r
110.70	am	(P-6134:A-11238)	n			(P-5013:A-13343)	r

Title 47 cont.		370 1007	r	(P-5013-A-13343)	(E-5328)		Title 50 cont.		4401.10	n	(P-12977/96-A-1675)
370 508	r	370 1101	r	(P-5013-A-13343)	(E-5328)		2012 Ex D	am	4401.20	n	(P-12977/96-A-1675)
370 601	r	371.10	n	(P-5013-A-13343)	(E-5328)		2012 Ex F	n	4401.30	n	(P-12977/96-A-1675)
370 602	r	371.20	n	(P-5016-A-13346)	(E-5369)		2012 Ex G	n	4401.40	n	(P-12977/96-A-1675)
370 603	r			(E-5328)			2012 Ex H	n	4401.50	n	(P-12977/96-A-1675)
370 604	r			(P-5013-A-13343)	(E-5328)		2018 40	am	4401.60	n	(P-12977/96-A-1675)
370 605	r			(P-5013-A-13343)	(E-5328)		2018 50	am	4401.70	n	(P-12977/96-A-1675)
370 701	r			(P-5013-A-13343)	(E-5328)		2018 90	am	4402.10	re	(CC-1727)
370 702	r			(P-5013-A-13343)	(E-5328)		2018 100	am	4402.20	re	(CC-1727)
370 703	r			(P-5013-A-13343)	(E-5328)		2018 Ex C	n	4402.35	re	(CC-1727)
370 704	r			(P-5013-A-13343)	(E-5328)		2018 Ex D	n	4402.35	re	(CC-1727)
370 705	r			(P-5013-A-13343)	(E-5328)		2051.20	am	4402.40	re	(CC-1727)
370 706	r			(P-5013-A-13343)	(E-5328)		2051.30	am	4402.50	re	(CC-1727)
370 707	r			(P-5013-A-13343)	(E-5328)		2051.50	am	4402.60	re	(CC-1727)
370 801	r			(P-5013-A-13343)	(E-5328)		2051.55	n	4405.10	n	(P-12563/96-A-1671)
370 802	r			(P-5013-A-13343)	(E-5328)		2051.60	am	4405.20	n	(P-12563/96-A-1671)
370 901	r			(P-5013-A-13343)	(E-5328)		2051.65	am	4405.30	n	(P-12563/96-A-1671)
370 902	r			(P-5013-A-13343)	(E-5328)		2051.85	am	4405.40	n	(P-12563/96-A-1671)
370 903	r			(P-5013-A-13343)	(E-5328)		2405.10	n	5100.10	r	(P-12072)
370 904	r			(P-5013-A-13343)	(E-5328)		2405.20	n	5100.20	r	(P-12072)
370 1001	r			(P-5013-A-13343)	(E-5328)		2405.30	n	5100.30	r	(P-12072)
370 1002	r			(P-5013-A-13343)	(E-5328)		2405.40	n	5100.40	r	(P-12072)
370 1003	r			(P-5013-A-13343)	(E-5328)		3119.30	am	5100.50	r	(P-12072)
370 1004	r			(P-5013-A-13343)	(E-5328)		3119.40	am	5602.10	r	(P-11437/96-A-1681)
370 1005	r			(P-5013-A-13343)	(E-5328)		3119.45	am	5421.10	re	(CC-1729)
370 1006	r			(P-5013-A-13343)	(E-5328)		3119.60	am	5421.20	re	(CC-1729)
							4202.10	r	5421.30	re	(CC-1729)
							4202.20	r	5421.40	re	(CC-1729)
							4202.30	r	5421.50	re	(CC-1729)
							4202.40	r	5421.60	re	(CC-1729)
							4202.50	r	5421.70	re	(CC-1729)
							4202.60	r	5421.80	re	(CC-1729)
							4202.70	r	5421.90	re	(CC-1729)
							4202.80	r	5421.100	re	(CC-1729)
							4202.90	r	5421.110	re	(CC-1729)
							4203.00	r	5421.111	re	(CC-1729)
							4203.10	r	5421.112	re	(CC-1729)
							4203.20	r	5421.113	re	(CC-1729)
							4203.30	r	5421.120	re	(CC-1729)
							4203.40	r	5421.130	re	(CC-1729)
							4203.50	r	5421.140	re	(CC-1729)
							4203.60	r	5421.141	re	(CC-1729)
							4203.70	r	5421.150	re	(CC-1729)
							4203.80	r	5421.160	re	(CC-1729)
							4203.90	r	6301.10	re	(P-12983/96-A-1683)
							4203.100	r	6301.20	re	(P-12983/96-A-1683)
							4203.110	r	6301.30	re	(P-12983/96-A-1683)
									6301.40	re	(P-12983/96-A-1683)
									Ex A-1	re	(P-12983/96-A-1683)
									Ex A-2	re	(P-12983/96-A-1683)
									Ex A-3	re	(P-12983/96-A-1683)

Title 59 cont.	115 320	am	(P-6695)	240 640	am	(P-13699/96;A-7164)
	115 330	am	(P-1563)	240 710	am	(P-13699/96;A-7164)
115 420	am		(P-16045/96;A-6085)	240 780	am	(P-13699/96;A-7164)
			(P-1563)	240 860	am	(P-13699/96;A-7164)
115 470	am		(P-16045/96;A-6085)	240 861	am	(P-13699/96;A-7164)
			(P-13502/96;A-2205)	240 862	n	(P-13699/96;A-7164)
117.	re		(P-9321)	240 890	am	(P-13699/96;A-7164)
119	re		(P-9321)	240 891	am	(P-13699/96;A-7164)
119 260	am		(P-6680)	240 895	am	(P-13699/96;A-7164)
119 330	am		(P-13492/96;A-2195)	240 900	n	(P-13699/96;A-7164)
119 120	am		(P-1532)	240 906	am	(P-13699/96;A-7164)
119 210	am		(P-1532)	240 926	n	(P-13699/96;A-7164)
119 261	am		(P-16016/96;A-6067)	240 1110	am	(P-13699/96;A-7164)
119 270	n		(P-1532)	240 1130	am	(P-13699/96;A-7164)
119 305	am		(P-1532)	240 1131	n	(P-13699/96;A-7164)
120	re		(P-9321)	240 1410	am	(P-13699/96;A-7164)
121.	re		(P-9321)	240 1450	am	(P-13699/96;A-7164)
121 30	am		(P-1506)	240 1460	am	(P-13699/96;A-7164)
121 45	am		(P-6673)	240 1470	n	(P-13699/96;A-7164)
121 66	n		(P-1506)	240 1480	am	(P-13699/96;A-7164)
125	re		(P-9321)	240 1500	am	(P-13699/96;A-7164)
132.	re		(P-9321)	240 1600	am	(P-13699/96;A-7164)
132 91	n		(P-1527)	240 1610	am	(P-13699/96;A-7164)
135.	re		(P-9321)	240 1620	am	(P-13699/96;A-7164)
258	re		(P-9321)	240 1630	am	(P-13699/96;A-7164)
TITLE 62				240 1635	n	(P-13699/96;A-7164)
	240 10	am	(P-13699/96;A-7164)	240 1640	am	(P-13699/96;A-7164)
	240 131	am	(P-13699/96;A-7164)	240 1710	am	(P-13699/96;A-7164)
	240 133	am	(P-13699/96;A-7164)	240 1820	am	(P-13699/96;A-7164)
	240 160	am	(P-13699/96;A-7164)	240 1852	n	(P-13699/96;A-7164)
				240 1940	am	(P-13699/96;A-7164)

TITLE 68

590.60	n	(P-12027)
610.30	am	(P-12052)
1150.30	am	(P-14978/96;A-5928)
1150.60	am	(P-14978/96;A-5928)
1150.80	am	(P-14978/96;A-5928)
1175.100	am	(P-8813/96;A-7277)
1175.105	am	(P-8813/96;A-7277)
1175.110	am	(P-8813/96;A-7277)
1175.200	am	(P-8813/96;A-7277)
1175.205	am	(P-8813/96;A-7277)
1175.210	am	(P-8813/96;A-7277)
1175.215	am	(P-8813/96;A-7277)
1175.220	am	(P-8813/96;A-7277)
1175.225	am	(P-8813/96;A-7277)
1175.235	am	(P-8813/96;A-7277)
1175.300	am	(P-8813/96;A-7277)
1175.305	am	(P-8813/96;A-7277)
1175.310	am	(P-8813/96;A-7277)

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Title 68. cont.			1400.90	am	(P-6389)
1240.65	#	(P-14708/96;A-3135)	1420.70	am	(P-8837)
1240.66	#	(P-14708/96;A-3135)	1445.15	am	(P-793)
1240.70	#	(P-14708/96;A-3135)	1450.45	am	(P-4948)
1240.100	n	(P-14708/96;A-3135)	1450.55	am	(P-4948)
1240.110	n	(P-14708/96;A-3135)	1450.175	am	(P-15848/96;A-3602)
1240.120	n	(P-14708/96;A-3135)	1450.300	n	(P-4948)
1240.130	n	(P-14708/96;A-3135)	1450.305	n	(P-4948)
1240.140	n	(P-14708/96;A-3135)	1450.310	n	(P-4948)
1240.150	n	(P-14708/96;A-3135)	1450.315	n	(P-4948)
1240.160	n	(P-14708/96;A-3135)	1450.320	n	(P-4948)
1240.170	n	(P-14708/96;A-3135)	1450.325	n	(P-4948)
1240.180	n	(P-14708/96;A-3135)	1450.330	n	(P-4948)
1240.190	n	(P-14708/96;A-3135)	1450.335	n	(P-4948)
1240.200	#	(P-14708/96;A-3135)	1450.340	n	(P-4948)
1240.210	#	(P-14708/96;A-3135)	1450.345	n	(P-4948)
1240.220	#	(P-14708/96;A-3135)	1450.350	n	(P-4948)
1240.230	#	(P-14708/96;A-3135)	1450.355	n	(P-4948)
1245.10	am	(P-13429)	1450.360	n	(P-4948)
1245.160	n	(P-13429)	1455.15	am	(P-793;A-5538)
1245.220	am	(P-13429)	1455.80	n	(P-12311/96;A-1685)
1245.260	n	(P-13429)	1455.300	am	(P-12311/96;A-1685)
1245.310	n	(P-13429)	1455.300	am	(P-12311/96;A-1685)
1245.330	n	(P-13429)	1456.05	n	(P-3407;A-11751)(E-3750)
1252.10	n	(E-5647)(P-5398)	1456.10	n	(P-3407;A-11751)
1252.20	n	(P-5398)	1456.20	n	(P-3407;A-11751)
1252.30	n	(P-5398)	1456.30	n	(P-3407;A-11751)
1252.40	n	(E-5647)(P-5398)	1456.40	n	(P-3407;A-11751)
1252.50	n	(E-5647)(P-5398)	1456.50	n	(P-3407;A-11751)
1252.60	n	(P-5398)	1456.60	n	(P-3407;A-11751)
1252.70	n	(P-5398)	1456.70	n	(P-3407;A-11751)
1252.80	n	(E-5647)(P-5398)	1456.80	n	(P-3407;A-11751)
1252.90	n	(P-5398)	1456.90	n	(P-3407;A-11751)
1252.100	n	(P-5398)	1456.100	n	(P-3407;A-11751)
1252.110	n	(P-5398)	1456.110	n	(P-3407;A-11751)
1252.120	n	(P-5398)	1456.120	n	(P-3407;A-11751)
1252.130	n	(P-5398)	1465.75	n	(P-11625)(E-11785)
1270.5	am	(P-6017)	1480.130	am	(P-6170)
1270.10	am	(P-6017)	1480.135	am	(P-6170)
1270.30	am	(P-6017)	1480.140	am	(P-6170)
1270.45	am	(P-6017)	1480.170	am	(P-6170)
1320.80	am	(P-8844)	1480.200	am	(P-6170)
1330.05	#	am (P-12692/96;A-12600)	TITLE 71		
1330.65	am	(P-12692/96;A-12600)	10.120	am	(A-7114)
1330.70	#	(P-12692/96;A-12600)	400.110	r	(P-1;A-5762)
1380.290	am	(P-6027)		n	(P-45;A-5764)
1400.20	am	(P-6389)	400.120	r	(P-1;A-5762)
1400.30	am	(P-6389)		n	(P-45;A-5764)
1400.40	am	(P-6389)	400.130	r	(P-1;A-5762)
1400.60	am	(P-6389)		n	(P-45;A-5764)
1400.70	am	(P-6389)	400.140	r	(P-1;A-5762)
1400.75	am	(P-6389)(E-9217)		n	

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Title 77 cont.

515 430	n	(P-5170)	515 Ap.A	n	(P-5170)
515 440	n	(P-5170)	515 Ap.B	n	(P-5170)
515 500	n	(P-5170)	515 Ap.C	n	(P-5170)
515 510	n	(P-5170)	515 Ap.D	n	(P-5170)
515 520	n	(P-5170)	515 Ap.E	n	(P-5170)
515 530	n	(P-5170)	515 Ap.F	n	(P-5170)
515 540	n	(P-5170)	535 10	r	(P-11743/96;A-5321)
515 550	n	(P-5170)	535 20	r	(P-11743/96;A-5321)
515 560	n	(P-5170)	535 50	r	(P-11743/96;A-5321)
515 570	n	(P-5170)	535 60	r	(P-11743/96;A-5321)
515 580	n	(P-5170)	535 100	r	(P-11743/96;A-5321)
515 590	n	(P-5170)	535 110	r	(P-11743/96;A-5321)
515 600	n	(P-5170)	535 120	r	(P-11743/96;A-5321)
515 600	n	(P-5170)	535 130	r	(P-11743/96;A-5321)
515 600	n	(P-5170)	535 140	r	(P-11743/96;A-5321)
515 700	n	(P-5170)	535 150	r	(P-11743/96;A-5321)
515 720	n	(P-5170)	535 160	r	(P-11743/96;A-5321)
515 730	n	(P-5170)	535 200	r	(P-11743/96;A-5321)
515 740	n	(P-5170)	535 210	r	(P-11743/96;A-5321)
515 750	n	(P-5170)	535 215	r	(P-11743/96;A-5321)
515 760	n	(P-5170)	535 216	r	(P-11743/96;A-5321)
515 800	n	(P-5170)	535 217	r	(P-11743/96;A-5321)
515 810	n	(P-5170)	535 220	r	(P-11743/96;A-5321)
515 820	n	(P-5170)	535 230	r	(P-11743/96;A-5321)
515 830	n	(P-5170)	535 240	r	(P-11743/96;A-5321)
515 900	n	(P-5170)	535 250	r	(P-11743/96;A-5321)
515 910	n	(P-5170)	535 265	r	(P-11743/96;A-5321)
515 920	n	(P-5170)	535 270	r	(P-11743/96;A-5321)
515 930	n	(P-5170)	535 300	r	(P-11743/96;A-5321)
515 935	n	(P-5170)	535 310	r	(P-11743/96;A-5321)
515 940	n	(P-5170)	535 315	r	(P-11743/96;A-5321)
515 950	n	(P-5170)	535 320	r	(P-11743/96;A-5321)
515 960	n	(P-5170)	535 330	r	(P-11743/96;A-5321)
515 965	n	(P-5170)	535 335	r	(P-11743/96;A-5321)
515 970	n	(P-5170)	535 340	r	(P-11743/96;A-5321)
515 975	n	(P-5170)	535 350	r	(P-11743/96;A-5321)
515 980	n	(P-5170)	535 400	r	(P-11743/96;A-5321)
515 990	n	(P-5170)	535 410	r	(P-11743/96;A-5321)
515 995	n	(P-5170)	535 415	r	(P-11743/96;A-5321)
515 1000	n	(P-5170)	535 420	r	(P-11743/96;A-5321)
515 2000	n	(P-5170)	535 430	r	(P-11743/96;A-5321)
515 2010	n	(P-5170)	535 435	r	(P-11743/96;A-5321)
515 2020	n	(P-5170)	535 435	r	(P-11743/96;A-5321)
515 2030	n	(P-5170)	535 440	r	(P-11743/96;A-5321)
515 2040	n	(P-5170)	535 450	r	(P-11743/96;A-5321)
515 2050	n	(P-5170)(E-2437)	535 500	r	(P-11743/96;A-5321)
515 2060	n	(P-5170)	535 510	r	(P-11743/96;A-5321)
515 2070	n	(P-5170)	535 515	r	(P-11743/96;A-5321)
515 2080	n	(P-5170)	535 520	r	(P-11743/96;A-5321)
515 2090	n	(P-5170)(E-2437)	535 530	r	(P-11743/96;A-5321)
515 2100	n	(P-5170)(E-2437)	535 532	r	(P-11743/96;A-5321)
515 3000	n	(P-5170)(E-2437)	535 535	r	(P-11743/96;A-5321)

Title 77 cont.

535 540	r	(P-11743/96;A-5321)	540 170	r	(P-11835/96;A-5324)
535 540	r	(P-11743/96;A-5321)	540 180	r	(P-11835/96;A-5324)
535 550	r	(P-11743/96;A-5321)	540 190	r	(P-11835/96;A-5324)
535 600	r	(P-11743/96;A-5321)	540 200	r	(P-11835/96;A-5324)
535 650	r	(P-11743/96;A-5321)	540 210	r	(P-11835/96;A-5324)
535 700	r	(P-11743/96;A-5321)	540 220	r	(P-11835/96;A-5324)
535 750	r	(P-11743/96;A-5321)	540 Ap.A	r	(P-11835/96;A-5324)
535 800	r	(P-11743/96;A-5321)	540 Ap.B	r	(P-11835/96;A-5324)
535 810	r	(P-11743/96;A-5321)	542 10	r	(P-11886/96;A-5326)
535 820	r	(P-11743/96;A-5321)	542 20	r	(P-11886/96;A-5326)
535 830	r	(P-11743/96;A-5321)	542 30	r	(P-11886/96;A-5326)
535 840	r	(P-11743/96;A-5321)	542 40	r	(P-11886/96;A-5326)
535 850	r	(P-11743/96;A-5321)	542 50	r	(P-11886/96;A-5326)
535 860	r	(P-11743/96;A-5321)	542 60	r	(P-11886/96;A-5326)
535 870	r	(P-11743/96;A-5321)	542 70	r	(P-11886/96;A-5326)
535 900	r	(P-11743/96;A-5321)	542 80	r	(P-11886/96;A-5326)
535 910	r	(P-11743/96;A-5321)	542 90	r	(P-11886/96;A-5326)
535 920	r	(P-11743/96;A-5321)	542 100	r	(P-11886/96;A-5326)
535 930	r	(P-11743/96;A-5321)	550 100	am	(P-11416)
535 931	r	(P-11743/96;A-5321)	550 110	am	(P-11416)
535 932	r	(P-11743/96;A-5321)	550 120	am	(P-11416)
535 933	r	(P-11743/96;A-5321)	550 130	am	(P-11416)
535 935	r	(P-11743/96;A-5321)	550 ApA	n	(P-11416)
535 940	r	(P-11743/96;A-5321)	550 ApB	n	(P-11416)
535 941	r	(P-11743/96;A-5321)	550 ExA	n	(P-11416)
535 942	r	(P-11743/96;A-5321)	560 100	n	(P-11482)
535 943	r	(P-11743/96;A-5321)	560 110	n	(P-11482)
535 950	r	(P-11743/96;A-5321)	560 120	n	(P-11482)
535 951	r	(P-11743/96;A-5321)	560 ApA	n	(P-11482)
535 952	r	(P-11743/96;A-5321)	560 ApB	n	(P-11482)
535 953	r	(P-11743/96;A-5321)	591 10	n	(P-11627)
535 1000	r	(P-11835/96;A-5324)	591 20	n	(P-11627)
540 10	r	(P-11835/96;A-5324)	591 30	n	(P-11627)
540 20	r	(P-11835/96;A-5324)	591 40	n	(P-11627)
540 30	r	(P-11835/96;A-5324)	591 100	n	(P-11627)
540 35	r	(P-11835/96;A-5324)	591 110	n	(P-11627)
540 40	r	(P-11835/96;A-5324)	591 120	n	(P-11627)
540 50	r	(P-11835/96;A-5324)	591 130	n	(P-11627)
540 60	r	(P-11835/96;A-5324)	591 140	n	(P-11627)
540 65	r	(P-11835/96;A-5324)	597 100	am	(P-4828)
540 70	r	(P-11835/96;A-5324)	597 110	am	(P-4828)
540 80	r	(P-11835/96;A-5324)	597 310	am	(P-3814/96;A-2960)
540 90	r	(P-11835/96;A-5324)	615 210	am	(P-3814/96;A-2960)
540 100	r	(P-11835/96;A-5324)	630	re	(CC-9323)
540 110	r	(P-11835/96;A-5324)	635	re	(CC-9323)
540 120	r	(P-11835/96;A-5324)	655	re	(CC-9323)
540 130	r	(P-11835/96;A-5324)	665 240	am	(E-11966)
540 140	r	(P-11835/96;A-5324)	672	re	(CC-9323)
540 150	r	(P-11835/96;A-5324)			
540 160	r	(P-11835/96;A-5324)			

Title 77 cont.	672.100	am	(P-13264/96:A-3960)	695.10	am	(P-9714)
	672.200	am	(P-13264/96:A-3960)	696.100	am	(E-11973)
	672.205	am	(P-13264/96:A-3960)	696.110	n	(P-6716)
	672.450	am	(P-13264/96:A-3960)	696.130	n	(P-6716)
	672.505	am	(P-13264/96:A-3960)	696.140	n	(P-6716)
	672.510	am	(P-13264/96:A-3960)	696.150	n	(P-6716)
	672.610	am	(P-13264/96:A-3960)	696.160	n	(P-6716)
	682.100	am	(P-4799)	696.170	n	(P-6716)
	682.105	am	(P-4799)	696.180	n	(P-6716)
	682.110	am	(P-4799)	696.190	n	(P-6716)
	682.115	n	(P-4799)	696.200	n	(P-6716)
	682.120	am	(P-4799)	696.210	n	(P-6716)
	682.130	am	(P-4799)	696.Ap.A	n	(P-6716)
	682.140	am	(P-4799)	696.Ap.B	n	(P-6716)
	682.150	am	(P-4799)	700.	re	(CC-9323)
	682.160	am	(P-4799)	705.	re	(CC-9323)
	682.170	am	(P-4799)	820.10	am	(P-7089)(E-7536)
	682.180	am	(P-4799)	820.250	am	(P-7089)(E-7536)
	682.185	n	(P-4799)	820.400	am	(P-7089)(E-7536)
	682.190	am	(P-4799)	820.500	am	(P-7089)(E-7536)
	682.200	r	(P-4799)	845.10	am	(P-13282/96:A-7444)
	682.210	r	(P-4799)	845.12	am	(P-13282/96:A-7444)
	682.215	am	(P-4799)	845.15	am	(P-13282/96:A-7444)
	682.220	am	(P-4799)	845.20	am	(P-13282/96:A-7444)
	682.230	am	(P-4799)	845.21	re	(P-13282/96:A-7444)
	682.240	am	(P-4799)	845.25	am	(P-13282/96:A-7444)
	682.250	am	(P-4799)	845.26	am	(P-13282/96:A-7444)
	682.260	am	(P-4799)	845.28	am	(P-13282/96:A-7444)
	682.300	am	(P-4799)	845.30	am	(P-13282/96:A-7444)
	682.310	am	(P-4799)	845.50	am	(P-13282/96:A-7444)
	682.320	am	(P-4799)	845.Ap.A		
	682.330	am	(P-4799)	Ex.A	am	(P-13282/96:A-7444)
	682.340	am	(P-4799)	Ex.B	am	(P-13282/96:A-7444)
	682.350	am	(P-4799)	Ex.C	re	(P-13282/96:A-7444)
	682.360	am	(P-4799)	845.Ap.B	re	(P-13282/96:A-7444)
	682.400	am	(P-4799)	845.Ap.C	am	(P-13282/96:A-7444)
	682.410	am	(P-4799)	845.Ap.F	n	(P-13282/96:A-7444)
	682.420	am	(P-4799)	845.Ap.G	n	(P-13282/96:A-7444)
	682.430	am	(P-4799)	845.Ap.H	n	(P-13282/96:A-7444)
	682.440	r	(P-4799)	860.10	r	(P-5698)
	682.500	am	(P-4799)		n	(P-5721)
	682.510	am	(P-4799)	860.20	n	(P-5721)
	682.600	am	(P-4799)	860.100	r	(P-5698)
	682.610	am	(P-4799)		n	(P-5721)
	682.620	am	(P-4799)	860.110	r	(P-5698)
	682.700	am	(P-4799)	860.120	r	(P-5721)
	692.10	am	(P-9714)		n	(P-5698)
	692.20	am	(P-8227/96:A-1203)	860.130	r	(P-5721)
			(E-8385/96)		n	(P-5698)
	692.Ap.A	am	(P-8227/96:A-1203)	860.140	r	(P-5698)
			(E-8385/96)		n	(P-5721)

Title	77	cont.	(P-5721)	n	860.540	r	(P-5698)
860.150	r	(P-5698)	860.550	r	(P-5698)	860.560	r
860.160	n	(P-5721)	860.570	r	(P-5698)	860.600	r
860.170	n	(P-5721)	860.600	n	(P-5698)	860.610	n
860.200	r	(P-5698)	860.620	n	(P-5721)	860.630	n
860.210	n	(P-5721)	860.640	n	(P-5721)	860.650	n
860.220	n	(P-5721)	860.660	n	(P-5721)	860.670	n
860.230	n	(P-5721)	860.680	n	(P-5721)	860.690	n
860.240	n	(P-5721)	860.700	n	(P-5721)	860.710	n
860.250	n	(P-5721)	860.720	n	(P-5721)	860.730	n
860.260	n	(P-5721)	860.740	n	(P-5721)	860.750	n
860.270	n	(P-5721)	860.760	n	(P-5721)	860.770	n
860.280	n	(P-5721)	860.780	n	(P-5721)	860.790	n
860.290	n	(P-5721)	860.800	n	(P-5721)	860.810	n
860.300	r	(P-5698)	860.820	r	(P-5698)	860.830	r
860.310	n	(P-5721)	860.840	n	(P-5698)	860.850	n
860.320	n	(P-5721)	860.860	n	(P-5721)	860.870	n
860.330	r	(P-5698)	860.880	r	(P-5698)	860.890	r
860.340	n	(P-5721)	860.900	n	(P-5721)	860.910	n
860.350	n	(P-5698)	860.920	n	(P-5698)	860.930	n
860.360	r	(P-5698)	860.940	r	(P-5698)	860.950	r
860.370	n	(P-5721)	860.960	n	(P-5721)	860.970	n
860.380	n	(P-5698)	860.980	n	(P-5698)	860.990	n
860.390	r	(P-5698)	860.1000	r	(P-5698)	860.1010	r
860.400	n	(P-5721)	860.1020	n	(P-5721)	860.1030	n
860.410	r	(P-5698)	860.1040	r	(P-5698)	860.1050	r
860.420	n	(P-5721)	860.1060	n	(P-5721)	860.1070	n
860.430	n	(P-5698)	860.1080	n	(P-5698)	860.1090	n
860.440	r	(P-5698)	860.1100	r	(P-5698)	860.1110	r
860.500	n	(P-5721)	860.1120	n	(P-5721)	860.1130	n
860.510	r	(P-5698)	860.1140	r	(P-5698)	860.1150	r
860.520	n	(P-5721)	860.1160	n	(P-5721)	860.1170	n
860.530	r	(P-5698)	860.1180	r	(P-5698)	860.1190	r

Title 83 cont.		(O-14288/96;S-5659) (PF-14288/96;R-1405) (P-8416/96;A-6468) (E-8544/96)		(O-14288/96;W-5660) (P-8416/96;A-6468) (E-8544/96)		Title 83 cont.		(O-14287/96;R-1404) (PF-14287/96;W-5658) (P-8407/96;A-7129) (O-14287/96;R-1404) (PF-14287/96;W-5658) (P-8407/96;A-7129) (O-14287/96;R-1404) (PF-14287/96;W-5658) (P-8407/96;A-6454) (E-8530/96) (O-14284/96;A-6454) (R-1401) (S-14385/96;W-5656) (PF-14384/96;W-5655) (P-8393/96;A-6454) (E-8530/96) (O-14284/96;R-1401) (S-14385/96;W-5656) (PF-14384/96;W-5655) (P-8393/96;A-6454) (E-8530/96) (O-14284/96;R-1401) (S-14385/96;W-5656) (PF-14384/96;W-5655) (P-8393/96;A-6454) (E-8530/96)
761.200 n			761.370 n			762.20 n	n	
761.210 n			761.380 n			762.30 n	n	
761.230 n			761.400 n			762.40 n	n	
761.240 n			761.410 n			762.50 n	n	
761.300 n			761.420 n			762.60 n	n	
761.310 n			761.430 n			762.100 n	n	
761.330 n			761.440 n			762.110 n	n	
761.340 n			761.450 n			762.120 n	n	
761.350 n			761.460 n			762.130 n	n	
761.360 n			761.470 n			762.200 n	n	
			762.10 n			762.210 n	n	
						762.220 n	n	
						762.300 n	n	
						762.310 n	n	
						762.320 n	n	
						762.410 n	n	
						762.420 n	n	

[illegible][illegible]

TITLE 86

100.2195	n	(P-12100)	480.181	am	(P-11903/96;A-2383)
100.2480	n	(P-13048)	495.100	am	(P-5085;A-13658)
100.2580	n	(P-12575/96;A-958)	495.120	am	(P-5085;A-13658)
100.3120	am	(P-12835)	500.100	am	(P-13060)
100.9710	n	(E-2969)	500.202	am	(P-13060)
105.100	am	(P-14754/96;A-2362)	500.205	am	(P-13060)
105.110	am	(P-14754/96;A-2362)	500.215	am	(P-13060)
105.120	am	(P-14754/96;A-2362)	500.230	am	(P-13060)
105.210	am	(P-14754/96;A-2362)	500.235	am	(P-13060)
105.230	am	(P-14754/96;A-2362)	500.2650	am	(P-13060)
105.310	am	(P-14754/96;A-2362)	500.270	am	(P-13060)
105.400	am	(P-14754/96;A-2362)	500.300	am	(P-13060)
105.410	am	(P-14754/96;A-2362)	500.305	am	(P-13060)
105.420	am	(P-14754/96;A-2362)	500.320	am	(P-13060)
105.430	am	(P-14754/96;A-2362)	500.335	am	(P-13060)
105.450	am	(P-14754/96;A-2362)	500.340	am	(P-13060)
105.500	am	(P-14754/96;A-2362)	500.350	am	(P-13060)
105.510	am	(P-14754/96;A-2362)	500.355	am	(P-13060)
105.515	n	(P-14754/96;A-2362)	501.000	am	(P-13045)
105.600	am	(P-14754/96;A-2362)	501.100	n	(P-13045)
105.610	n	(P-14754/96;A-2362)	501.200	n	(P-13045)
105.620	n	(P-14754/96;A-2362)	501.300	n	(P-13045)
105.700	am	(P-14754/96;A-2362)	690.101	n	(P-11910/96;A-2390)
105.810	am	(P-14754/96;A-2362)	690.105	n	(P-11910/96;A-2390)
105.900	am	(P-14754/96;A-2362)	690.110	n	(P-11910/96;A-2390)
110.192	n	(P-15596/96;A-6921)	690.115	n	(P-11910/96;A-2390)
130.120	am	(W-4335)	690.120	n	(P-11910/96;A-2390)
130.330	am	(P-13085)	690.125	n	(P-11910/96;A-2390)
130.331	n	(P-7773/96;W-6931)	691.105	n	(P-11918/96;A-2398)
130.805	am	(P-8961/96;A-15753/96)	691.110	n	(P-11918/96;A-2398)
130.2005	am	(P-7091;A-1221)	691.115	n	(P-11918/96;A-2398)
140.125	am	(P-14175/96)(O-3335)	691.120	n	(P-11918/96;A-2398)
435.100	am	(W-4336)	691.125	n	(P-11918/96;A-2398)
435.110	am	(P-14131/96;A-3978)	691.130	n	(P-11918/96;A-2398)
435.120	am	(P-14131/96;A-3978)	692.101	n	(P-11923/96;A-2403)
435.140	am	(P-14131/96;A-3978)	692.105	n	(P-11923/96;A-2403)
435.150	am	(P-14131/96;A-3978)	692.110	n	(P-11923/96;A-2403)
435.160	am	(P-14131/96;A-3978)	692.115	n	(P-11923/96;A-2403)
435.170	am	(P-14131/96;A-3978)	692.120	n	(P-11923/96;A-2403)
435.180	am	(P-14131/96;A-3978)	1910.5	am	(P-15657/96;A-3706)
435.190	am	(P-14131/96;A-3978)	1910.10	am	(P-15657/96;A-3706)
435.200	am	(P-14131/96;A-3978)	1910.20	am	(P-15657/96;A-3706)
435.210	am	(P-14131/96;A-3978)	1910.30	am	(P-15657/96;A-3706)
470.171	n	(P-8295/96;W-6932)	1910.40	am	(P-15657/96;A-3706)
480.105	am	(P-6932;A-12243)	1910.50	am	(P-15657/96;A-3706)
		(P-13035;A-13654)	1910.60	am	(P-15657/96;A-3706)
			1910.65	am	(P-15657/96;A-3706)

TITLE 89

1910.66	n	(P-15657/96;A-3706)	1910.66	am	(P-15657/96;A-3706)
1910.67	am	(P-10004)	1910.67	am	(P-10004)
1910.68	am	(P-15657/96;A-3706)	1910.68	am	(P-15657/96;A-3706)
1910.69	am	(P-15657/96;A-3706)	1910.69	am	(P-15657/96;A-3706)
1910.70	am	(P-15657/96;A-3706)	1910.70	am	(P-15657/96;A-3706)
1910.71	am	(P-13028)	1910.71	am	(P-13028)
1910.75	am	(P-15657/96;A-3706)	1910.75	am	(P-15657/96;A-3706)
1910.76	am	(P-5692;A-11949)(P-10004)	1910.76	am	(P-5692;A-11949)(P-10004)
1910.80	am	(P-10004)	1910.80	am	(P-10004)
1910.90	am	(P-15657/96;A-3706)	1910.90	am	(P-15657/96;A-3706)
3000.100	am	(P-10439/96;A-4642)	3000.100	am	(P-10439/96;A-4642)
3000.102	n	(P-10439/96;A-4642)	3000.102	n	(P-10439/96;A-4642)
3000.103	n	(P-10439/96;A-4642)	3000.103	n	(P-10439/96;A-4642)
3000.104	n	(P-10439/96;A-4642)	3000.104	n	(P-10439/96;A-4642)
3000.110	am	(P-10439/96;A-4642)	3000.110	am	(P-10439/96;A-4642)
3000.120	am	(P-10439/96;A-4642)	3000.120	am	(P-10439/96;A-4642)
3000.140	am	(P-10439/96;A-4642)	3000.140	am	(P-10439/96;A-4642)
3000.150	am	(P-13444)	3000.150	am	(P-13444)
3000.160	am	(P-10439/96;A-4642)	3000.160	am	(P-10439/96;A-4642)
3000.180	am	(P-10439/96;A-4642)	3000.180	am	(P-10439/96;A-4642)
3000.220	am	(P-13444)	3000.220	am	(P-13444)
3000.221	am	(P-13444)	3000.221	am	(P-13444)
3000.231	am	(P-10439/96;A-4642)	3000.231	am	(P-10439/96;A-4642)
3000.234	am	(P-10439/96;A-4642)	3000.234	am	(P-10439/96;A-4642)
3000.245	am	(P-10439/96;A-4642)	3000.245	am	(P-10439/96;A-4642)
3000.270	am	(P-10439/96;A-4642)	3000.270	am	(P-10439/96;A-4642)
3000.280	am	(P-10439/96;A-4642)	3000.280	am	(P-10439/96;A-4642)
3000.281	r	(P-10439/96;A-4642)	3000.281	r	(P-10439/96;A-4642)
3000.282	r	(P-10439/96;A-4642)	3000.282	r	(P-10439/96;A-4642)
3000.283	r	(P-10439/96;A-4642)	3000.283	r	(P-10439/96;A-4642)
3000.284	n	(P-10439/96;A-4642)	3000.284	n	(P-10439/96;A-4642)
3000.400	am	(P-10439/96;A-4642)	3000.400	am	(P-10439/96;A-4642)
3000.405	am	(P-10439/96;A-4642)	3000.405	am	(P-10439/96;A-4642)
3000.410	am	(P-13444)	3000.410	am	(P-13444)
3000.415	am	(P-10439/96;A-4642)	3000.415	am	(P-10439/96;A-4642)
3000.420	am	(P-10439/96;A-4642)	3000.420	am	(P-10439/96;A-4642)
3000.424	n	(P-10439/96;A-4642)	3000.424	n	(P-10439/96;A-4642)
3000.600	am	(P-13444)	3000.600	am	(P-13444)
3000.602	am	(P-10439/96;A-4642)	3000.602	am	(P-10439/96;A-4642)
3000.606	n	(P-10439/96;A-4642)	3000.606	n	(P-10439/96;A-4642)
3000.625	am	(P-10439/96;A-4642)	3000.625	am	(P-10439/96;A-4642)
3000.635	am	(P-10439/96;A-4642)	3000.635	am	(P-10439/96;A-4642)
3000.640	am	(P-10439/96;A-4642)	3000.640	am	(P-10439/96;A-4642)
3000.660	am	(P-10439/96;A-4642)	3000.660	am	(P-10439/96;A-4642)

Title 89 cont.		Title 89 cont.		Title 89 cont.	
10 370 n	(P-9395)(E-9515)	111 110 r	(P-8190)(A-13599)	121 24 r,n	(P-10263/96,A-3156)
10 380 n	(P-9395)(E-9515)	112 re	(CC-9322)	121 182 am	(P-13515/96,A-3156)
10 415 n	(P-9395)(E-9515)	112 10 am	(P-549,A-7391)	130 re	(CC-9322)
10 420 n	(P-9395)(E-9515)		(E-662)	140 3 am	(P-3423,A-11569)(E-3734)
10 430 n	(P-9395)(E-9515)	112 66 n	(P-10766/96,A-1366)	140 5 am	(P-3423,A-11569)(E-3734)
10 438 n	(P-9395)(E-9515)	112 71 am	(P-11560/96,A-2655)	140 413 am	(P-12399)
10 440 n	(P-9395)(E-9515)	112 75 n	(P-12326/96,A-940)	140 420 am	(P-3423,A-11569)(E-3734)
50 101 n	(P-9502)(E-9393)	112 340 r	(P-1154,A-7391)	140 421 am	(P-3423,A-11569)(E-3734)
50 110 n	(P-9502)(E-9393)	112 352 am	(P-797)	140 463 am	(E-705)
50 120 n	(P-9502)(E-9393)	112 354 am	(P-797)		(P-16153/96,A-6899)
50 130 n	(P-9502)(E-9393)	112 414 am	(P-13138/96,A-2655)	140 470 am	(P-11889)
50 210 n	(P-9502)(E-9393)	113 re	(CC-9322)	140 471 am	(P-11889)
50 220 n	(P-9502)(E-9393)	113 10 am	(P-552,A-7404)	140 472 am	(P-11889)
50 230 n	(P-9502)(E-9393)		(E-673)	140 474 am	(P-11889)
50 240 n	(P-9502)(E-9393)	114 re	(CC-9322)	140 569 am	(P-9810/96,A-4777)
50 250 n	(P-9502)(E-9393)	114 10 am	(P-555,A-7413)	140 Tlb B am	(P-3042,A-9822)
50 310 n	(P-9502)(E-9393)	114 452 am	(E-682)	142 100 n	(P-13156/96,A-2246)
50 320 n	(P-9502)(E-9393)	114 454 am	(P-809)	142 110 n	(P-13156/96,A-2246)
101 20 am	(P-8202/A-13619)	115 re	(CC-9322)	142 200 n	(P-13156/96,A-2246)
101 30 am	(P-8202/A-13619)	116 re	(CC-9322)	142 205 n	(P-13156/96,A-2246)
101 40 am	(P-8202/A-13619)	117 re	(CC-9322)	142 220 n	(P-13156/96,A-2246)
102 21 am	(P-2924,A-11955)	117 10 am	(P-1165,A-7759)	142 230 n	(P-13156/96,A-2246)
102 70 am	(P-3892,A-11955)		(E-4037)	142 240 n	(P-13156/96,A-2246)
102 200 am	(P-7579/96,P-619)	117 11 n	(O-6620,M-7782)	142 250 n	(P-13156/96,A-2246)
102 210 am	(P-7579/96,P-619)	117 12 n	(O-6620,M-7782)	142 255 n	(P-13156/96,A-2246)
102 235 am	(P-7579/96,P-619)	117 13 n	(P-11593/96,A-7759)	142 260 n	(P-13156/96,A-2246)
102 270 am	(P-1171,A-7438)		(O-6620,M-7782)	142 270 n	(P-13156/96,A-2246)
102 280 am	(P-1171,A-7438)	117 50 am	(P-11593/96,A-7759)	142 275 n	(P-13156/96,A-2246)
104 1 am	(P-8207/A-13648)		(O-6620,M-7782)	142 280 n	(P-13156/96,A-2246)
104 100 am	(P-8858)(E-9306)		(E-10381/96)(O-499)	142 300 n	(P-13156/96,A-2246)
104 101 am	(P-8858)(E-9306)		(R-395)	142 340 n	(P-13156/96,A-2246)
104 102 am	(P-8858)(E-9306)	120 11 am	(P-558,A-7423)	142 370 n	(P-13156/96,A-2246)
104 104 am	(P-8858)(E-9306)		(E-692)	142 380 n	(P-13156/96,A-2246)
104 209 am	(P-8858)(E-9306)	120 60 am	(P-3027,A-11555)	142 390 n	(P-13156/96,A-2246)
104 210 am	(P-8858)(E-9306)	120 63 am	(P-7639)	142 400 n	(P-13156/96,A-2246)
104 213 am	(P-8858)(E-9306)	120 347 am	(P-3027,A-11555)	142 450 n	(P-13156/96,A-2246)
104 221 am	(P-8858)(E-9306)	120 310 am	(P-558,A-7423)	142 460 n	(P-13156/96,A-2246)
104 246 am	(P-8858)(E-9306)		(E-692)	142 500 n	(P-13156/96,A-2246)
111 1 r	(P-8190,A-13599)	120 330 am	(P-2913,A-13638)	142 502 n	(P-13156/96,A-2246)
111 10 r	(P-8190,A-13599)	120 372 am	(P-16143/96,A-7423)	142 505 n	(P-13156/96,A-2246)
111 20 r	(P-8190,A-13599)	120 379 am	(P-11472/96,A-7748)	142 510 n	(P-13156/96,A-2246)
111 30 r	(P-8190,A-13599)	120 382 am	(P-2913,A-13638)	142 532 n	(P-13156/96,A-2246)
111 40 r	(P-8190,A-13599)	121 re	(CC-9322)	142 538 n	(P-13156/96,A-2246)
111 50 r	(P-8190,A-13599)	121 7 am	(P-13151/96,A-3156)	142 560 n	(P-13156/96,A-2246)
111 60 r	(P-8190,A-13599)		(E-13381)	142 700 n	(P-13156/96,A-2246)
111 70 r	(P-8190,A-13599)	121 18 n	(P-2820,A-7733)	142 710 n	(P-13156/96,A-2246)
111 80 r	(P-8190,A-13599)	121 20 am	(P-13151/96,A-3156)	142 720 n	(P-13156/96,A-2246)
111 90 r	(P-8190,A-13599)		(E-13381)	142 730 n	(P-13156/96,A-2246)
111 101 am	(P-13031/96,A-2226)	121 22 am	(P-10263/96,A-3156)	142 800 n	(P-13156/96,A-2246)
		121 23 r,n	(P-10263/96,A-3156)	142 Tlb A n	(P-13156/96,A-2246)
				142 Tlb B n	(P-13156/96,A-2246)

Title 89 cont.	165 86	am	(P-13148/96;A-3151)
147 205	165 104	am	(P-7876)
148 25	170 10	r	(P-8199;A-13601)
148 140	170 40	r	(P-8199;A-13601)
148 295	170 50	r	(P-8199;A-13601)
	170 250	r	(P-8199;A-13601)
	170 300	r	(P-8199;A-13601)
148 296	170 350	r	(P-8199;A-13601)
	170 360	r	(P-8199;A-13601)
148 297	170 370	r	(P-8199;A-13601)
	170 380	am	(P-13900/96;A-2230)
148 310		r	(P-8199;A-13601)
149 75	170 390	r	(P-8199;A-13601)
152 150	170 410	n	(P-5977/96;A-1700)
152 200			(O-4981/R-1734)
152 250	170 500	r	(P-10778/96;A-1379)
153 100		n	(P-8199;A-13601)
153 1000	220 600	am	(P-9890)
160 5	220 605	am	(P-9890)
160 10	220 610	am	(P-9890)
160 15	220 615	r	(P-9890)
160 25	220 620	r	(P-9890)
160 30	220 625	r	(P-9890)
160 35	220 630	am	(P-9890)
	220 635	am	(P-9890)
160 45	220 640	am	(P-9890)
160 60	220 645	am	(P-9890)
	220 650	am	(P-9890)
160 61	220 655	am	(P-9890)
	220 660	am	(P-9890)
160 62	220 665	r	(P-9890)
160 65	220 670	am	(P-9890)
160 70	220 675	n	(P-9890)
	230 42	r	(P-14668/96;A-8894)
160 71	230 610	am	(P-9917)
160 75	230 650	am	(P-9917)
160 77	240 230	am	(P-6613/96;A-887)
160 90	240 728	am	(P-13463/96/RC-4337)
160 100	240 729	am	(P-13463/96/RC-4337)
160 110	240 815	am	(P-3001;A-12418)
160 120	240 870	am	(P-6613/96;A-887)
160 130	240 1400	am	(P-9879)
160 132	240 1410	am	(P-9879)
160 136	240 1430	am	(P-9879)
160 138	240 1710	am	(P-9879)
160 140	240 1940	am	(P-6613/96;A-887)
160 150	240 1950	am	(P-6613/96;A-887)
160 160	260 100	am	(P-3012;A-12429)
	260 200	am	(P-3012;A-12429)
165	260 300	am	(P-3012;A-12429)
	260 400	am	(P-3012;A-12429)
165 40	270 10	n	(P-14662/96;A-8887)

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Title 89 cont.					
920.II.A #	(P-5018)		1002.45	am	(P-12341/96;A-466)
920.II.B #	(P-5018)		1002.60	am	(O-500)(R-493)
920.II.C am	(P-5018)				(P-12341/96;A-466)
920.II.D am	(P-5018)		1002.70	am	(O-500)(R-493)
920.II.E am	(P-5018)				(P-12341/96;A-466)
920.II.F #	(P-5018)		1010.420	am	(O-500)(R-493)
920.II.G #	(P-5018)		1010.421	n	(P-13372)
920.II.H #	(P-5018)		1010.180	n	(P-13372)
920.II.I #	(P-5018)		1010.185	n	(P-4406)
920.II.J am	(P-5018)		1010.420	am	(P-4406)
920.II.K am	(P-5018)		1010.421	n	(P-7846;A-13372)
920.II.L am	(P-5018)		1030.11	am	(P-7846;A-13372)
925.10 am	(P-5073)		1030.13	am	(P-13128)
925.15 am	(P-5073)		1030.65	am	(P-13128)
925.30 am	(P-5073)		1030.97	am	(P-13128)
925.40 am	(P-5073)		1030.16	am	(P-1581;A-6588)
925.Tb.A am	(P-5073)		1030.18	am	(P-1581;A-6588)
1200.10 am	(P-6404)		1030.70	am	(P-4414;A-10992)
1200.20 am	(P-6404)		1030.75	am	(P-4414;A-10992)
1200.30 am	(P-6404)		1040.20	am	(P-5091;A-12609)
1200.40 am	(P-6404)		1040.25	am	(P-13100)
1200.50 am	(P-6404)		1040.29	n	(P-13100)
1200.60 am	(P-6404)		1040.32	am	(P-3060)
1200.70 am	(P-6404)		1040.33	n	(P-13209)
1200.80 am	(P-6404)		1040.36	n	(P-13100)
1200.90 am	(P-6404)		1040.37	n	(P-13100)
1200.110 am	(P-6404)		1040.38	am	(P-13100)
1200.Ap.A am	(P-6404)		1040.40	am	(P-13100)
1200.Ap.B am	(P-6404)		1040.41	am	(P-13100)
			1040.50	am	(P-5457;A-12249)
			1040.52	n	(P-13100)
			1040.60	am	(P-13100)
			1040.70	am	(P-4398;A-10992)
			1100.5	r	(P-13141)
					(P-13149)
			1100.7	r	(P-13141)
			1100.10	r	(P-13141)
					(P-13149)
			1100.20	r	(P-13141)
					(P-13149)
			1100.25	n	(P-13149)
			1100.30	r	(P-13141)
					(P-13149)
			1100.35	n	(P-13149)
			1100.40	n	(P-13149)
			1456.10	n	(P-10755/96;A-3113)
			1456.20	n	(P-10755/96;A-3113)
			1456.30	n	(P-10755/96;A-3113)
			1456.40	n	(P-10755/96;A-3113)
			1456.50	n	(P-10755/96;A-3113)
			2500.40	r	(P-4440;A-11589)
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14.775 am	(P-14383/96;A-3253)				
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171.22 n	(E-4043)				
171.1000 am	(E-4043)				
458.1000 n	(P-9404;A-13664)				
458.1010 n	(P-9404;A-13664)				
458.1020 n	(P-9404;A-13664)				
458.1030 n	(P-9404;A-13664)				
458.II.A n	(P-9404;A-13664)				
554.206 am	(P-14993/96;A-2682)				
554.302 r	(P-14993/96;A-2682)				
554.311 am	(P-14993/96;A-2682)				
554.407 am	(P-14993/96;A-2682)				
554.501 am	(P-14993/96;A-2682)				
1002.20 am	(O-500)(R-493)				
1002.30 am	(P-12341/96;A-466)				
1002.42 n	(O-500)(R-493)				
	(O-500)(R-493)				

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